



CITY OF HAVERHILL  
CITY COUNCIL AGENDA

LINDA

Tuesday, March 10, 2015 at 7:00 PM  
City Council Chambers, Room 202

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1. APPROVAL OF RECORDS OF THE PREVIOUS MEETING

2. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

3. COMMUNICATIONS FROM THE MAYOR

- 3.1. Communication from Mayor Fiorentini requesting to address Council regarding "energy aggregation"; to assist residents with staggering increases in their electric bills from National Grid and also to submit related Order & Resolution
- 3.1.1.1. Order – Council vote to initiate process to aggregate electrical load pursuant to M.G.L. c 164, section 134 and also to adopt said Resolution

3.2 Communication from Mayor Fiorentini requesting to address Council regarding a Solar Farm at the landfill located on Groveland rd and also submitting related Order

3.2.1 Order – Declare property on Groveland rd, Haverhill, commonly known as the Landfill be declared surplus and further that Mayor is authorized to designate SunEdison as the preferred responder to the request for proposals (RFP) for lease of property issued on November 17 2014; with negotiated lease subject to City Council approval

Attachments

4. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES

NO SCHEDULE

5. UTILITY HEARING(S) AND RELATED ORDER(S)

NO SCHEDULE

6. APPOINTMENTS

Confirming Appointments

NO SCHEDULE

Non-confirming Appointment

NO SCHEDULE

Resignations:

NO SCHEDULE

7. Petitions:

NO SCHEDULE



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8. Applications:  
NO SCHEDULE

8.1. One Day Liquor Licenses  
NO SCHEDULE

8.2. Applications for Permit  
NO SCHEDULE

9. Tag Days

9.1. *Haverhill Little League* May 29 & 30th

Attachment

10. Annual License Renewals:

10.1. Buy & Sell Second Hand Articles  
NO SCHEDULE

Coin-ops

NO SCHEDULE

Sunday License

NO SCHEDULE

11. Hawker/Peddler:  
NO SCHEDULE

12. Hawker or Peddler Engaged in Door to Door Sales  
NO SCHEDULE

13. Drainlayer 2015 License

13.1. Anthony Denapoli

13.2. Dave Maynard

13.3. Gerard McGovern

Attachments

14. HEARINGS AND RELATED ORDERS



# CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, March 10, 2015 at 7:00 PM  
City Council Chambers, Room 202

15. Document 17, petition from Attorney Michael Migliori for owner/applicant Gary A Caruso, Trustee of 194 Main st Realty Trust, for a Special Permit to build 5 condos in two buildings at 46-50 Primrose st  
*Favorable recommendation from Planning Board to included Department reports and favorable conditional recommendation from Planning Director, William Pillsbury* Attachment

16. MOTIONS AND ORDERS  
NO SCHEDULE

17. Ordinances (File 10 Days)  
NO SCHEDULE

18. UNFINISHED BUSINESS OF PRECEDING MEETINGS

- 18.1. Document 10-K, communication from Councillors LePage and Sullivan requesting a discussion regarding the Cogswell School RFP *postponed from March 3 2015* Attachment

- 18.2. Document 31, Ordinance re: Peddling & Soliciting, Door to Door Sales; Amend Chapter 191, Article IV *filed February 25th*  
Attachment

19. MONTHLY REPORTS  
NO SCHEDULE

20. Communications from Councillors  
NO SCHEDULE

21. Resolutions and Proclamations  
NO SCHEDULE

22. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

- 22.1. Councillor LePage submits minutes and recommendations of the Administration and Finance Committee meeting held on March 5 2015 Attachment

23. DOCUMENTS REFERRED TO COMMITTEE STUDY

24. ADJOURN



JAMES J. FIORENTINI  
MAYOR

CITY OF HAVERHILL  
MASSACHUSETTS

3.1  
CITY HALL ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CITYOFHAVERHILL.MA.US

March 6, 2015

City Council President John A. Michitson and  
Members of the Haverhill City Council

RE: Energy Aggregation

Dear Mr. President and Members of the Haverhill City Council:

This winter, our city residents have been hit with staggering increases in their electric bills from National Grid. For various reasons too complex to list, National Grid electric rates have gone up by an unbelievable 37%.

As Councilors will recall, these utility increases did not hit the City of Haverhill School and Municipal accounts. Because we consume large amounts of electricity, we were able to negotiate with other carriers a more favorable utility rate.

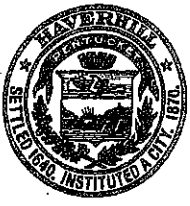
I indicated at the time that we would see what we could do to assist our residents. We have been exploring what is known as an "energy aggregation."

We would like to discuss that further with you and will be before the City Council Tuesday night. I am enclosing a resolution authorizing me to proceed.

I recommend approval.

Very truly yours,

James J. Fiorentini, Mayor



DOCUMENT

3.10.1

# CITY OF HAVERHILL

In Municipal Council

## ORDERED:

To see if the City will vote to initiate the process to aggregate electrical load pursuant to M.G.L. c. 164, § 134 and, further, to adopt the following resolution:

WHEREAS, the Commonwealth of Massachusetts has engaged in a process to establish a competitive market place through the restructuring of the electricity market; and

WHEREAS, citizens of Haverhill have a substantial economic and social interest in terms of greater customer choice and opportunities for savings in this restructured market; and

WHEREAS, the City of Haverhill hereby finds that it may be in the interest of its citizens who are electric ratepayers, both residential and commercial/industrial, to develop and secure such approvals and enter into appropriate agreements with consultants, experts and attorneys in connection with the establishment and operation of an electricity aggregation plan.

BE IT THEREFORE RESOLVED that the City of Haverhill hereby:

Publicly declares its intent to become an aggregator of electric power on behalf of its residential and business electric customers and to reestablish such plan if its operation is suspended; and

To negotiate and enter into such contracts for power supply pursuant to the plan or services for such plan, with the understanding that if a power supply contract is executed, individual consumers would retain the option not to participate in the aggregation plan and, instead, to choose any electricity alternatives they desire and, further, to take such other action relative hereto as may be appropriate and necessary.

JAMES J. FLORENTINI  
MAYOR



CITY OF HAVERHILL  
MASSACHUSETTS

3.22  
CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-874-2800  
FAX 978-873-7514  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CITYOFHAVERHILL.MA.US

March 6, 2015

City Council President John A. Michitson and  
Members of the Haverhill City Council

RE: Solar Farm – Sun Edison

Dear Mr. President and Members of the Haverhill City Council:

Several years ago, I convened a post Landfill Advisory Committee to give advice to the city on the post closure use of the landfill. They unanimously recommended that the best post closure use of the landfill was as a solar farm.

In accordance with that recommendation, this year we sent out an RFP and asked for companies to submit bids on installing a solar farm at the landfill. I asked our Energy Manager, Orlando Pacheco, to evaluate the bids. We also solicited advice of our Energy Advisory Task Force. The Council representative on that task force is Councilor LePage.

This is such an incredibly important issue, potentially involving millions of dollars. We also brought in outside experts to advise us. We obtained a grant from the Department Of Energy Resources to assist us with the evaluation.

A number of companies submitted bids. It was an extremely difficult decision.

We have chosen Sun Edison as our vendor to provide a solar farm at the landfill. This will be explained Tuesday evening. This agreement has the potential to save the city over \$7 million in electric bills over the next 20 years.

In order to complete the negotiations with Sun Edison I am requesting that the City Council take the following action:

1. Declare the landfill as surplus;
2. Authorize me to designate Sun Edison as the preferred vendor in response to RFP 009.15 and to enter into a negotiation with Sun Edison to lease the landfill as a solar farm.

We cannot sign a lease until we first have the landfill appraised as is required by state law. An appraisal is the final step to make certain that our taxpayers of the city receive the best and fairest value for the property.

An order is attached and I recommend approval.

Mayor James J. Fiorentini



DOCUMENT

3.2.1

# CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the real property located on Groveland Road, Haverhill, commonly known as the Landfill, as shown on the Assessors Map 776, Block 788, Lots 21 and 24, containing approximately 22.27 acres +/-, being and is hereby declared surplus.

Further, the Mayor is hereby authorized to designate SunEdison as the preferred responder to the request for proposals (RFP) for the lease of said real property issued on November 17, 2014. The Mayor may enter into negotiations for a suitable lease of the real property with SunEdison, which lease shall be brought back to the City Council for approval.

**Unofficial Property Record Card - Haverhill, MA****General Property Data**

Parcel ID 776-788-21	Account Number
Prior Parcel ID -	
Property Owner CITY OF HAVERHILL PUBLIC WORKS DEPT	Property Location GROVELAND RD
Mailing Address 4 SUMMER ST	Property Use MUNICIPAL
	Most Recent Sale Date
City HAVERHILL	Legal Reference
	Grantor
Mailing State MA Zip 01830	Sale Price 0
Parcel/Zoning	Land Area 11.200 acres

**Current Property Assessment**

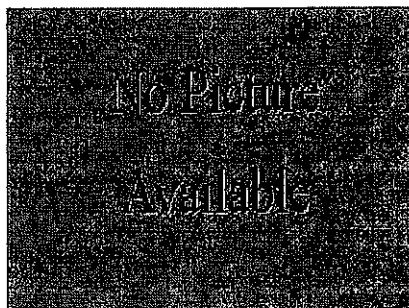
Card 1 Value Building Value 0	Xtra Features Value 0	Land Value 97,500	Total Value 97,500
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**Building Description**

Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units N/A	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition Average	Siding N/A	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

**Legal Description****Narrative Description of Property**

This property contains 11.200 acres of land mainly classified as MUNICIPAL with a(n) N/A style building, built about N/A, having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

**Property Images**

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



**Unofficial Property Record Card - Haverhill, MA****General Property Data**

Parcel ID 776-788-24  
Prior Parcel ID -  
Property Owner CITY OF HAVERHILL  
TAX DEPT  
Mailing Address 4 SUMMER ST  
  
City HAVERHILL  
Mailing State MA Zip 01830  
Parcel/Zoning

Account Number  
  
Property Location GROVELAND RD  
Property Use MUNICIPAL  
Most Recent Sale Date 2/6/1963  
Legal Reference 4427 255  
Grantor  
Sale Price 0  
Land Area 11.070 acres

**Current Property Assessment**

Card 1 Value Building Value 0

Xtra Features 0  
Value 0

Land Value 97,100

Total Value 97,100

**Building Description**

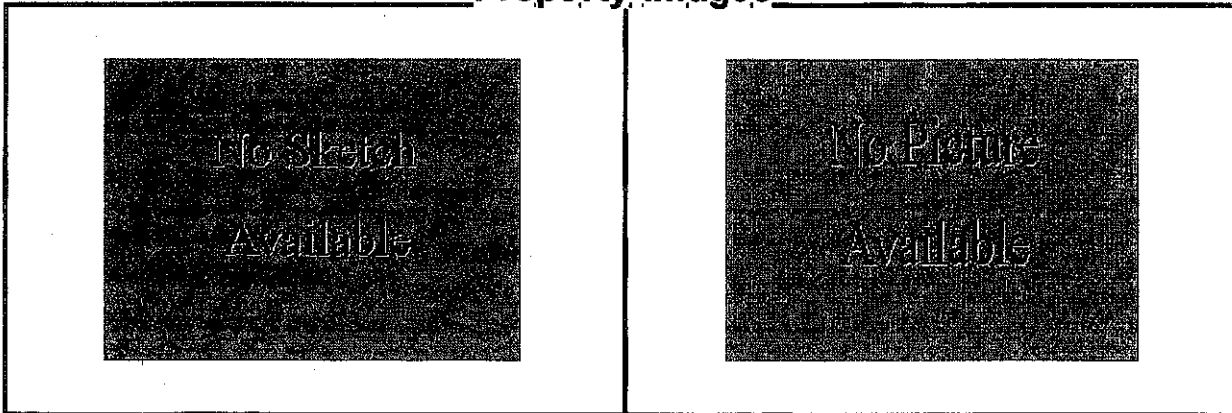
Building Style N/A  
# of Living Units N/A  
Year Built N/A  
Building Grade N/A  
Building Condition Average  
Finished Area (SF) N/A  
Number Rooms 0  
# of 3/4 Baths 0

Foundation Type N/A  
Frame Type N/A  
Roof Structure N/A  
Roof Cover N/A  
Siding N/A  
Interior Walls N/A  
# of Bedrooms 0  
# of 1/2 Baths 0

Flooring Type N/A  
Basement Floor N/A  
Heating Type N/A  
Heating Fuel N/A  
Air Conditioning 0%  
# of Bsmt Garages 0  
# of Full Baths 0  
# of Other Fixtures 0

**Legal Description****Narrative Description of Property**

This property contains 11.070 acres of land mainly classified as MUNICIPAL with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

**Property Images**

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

## REQUEST FOR PROPOSALS

# **DEVELOPMENT OF A SOLAR ENERGY PROJECT AT THE MUNICIPALLY OWNED LANDFILL IN HAVERHILL, MASSACHUSETTS**

## PART 1 -GENERAL PROPOSAL INFORMATION

### **1.1 PURPOSE**

The purpose of this Request for Proposals ("RFP") is to seek proposals from qualified Vendors who will lease City owned land, to develop, own and operate a solar energy project. The City is willing to lease municipally owned property for the installation of solar collectors, inverters and cabling for a solar array at the municipal landfill site. The lease term will be for a minimum of 20 years and a maximum of 40 years. Electricity generated from this project will be delivered to a suitable electrical grid interconnection point. The Selected Vendor will be responsible for the interconnection study, permit, and any subsequent interconnection costs. The Selected Vendor will own and operate the solar energy project. The Selected Vendor will retain all Solar Renewable Energy Certificates (SREC), Environmental Credits, Tax Credits, and other credits or grants derived from the solar energy project. The City proposes to purchase the solar energy from the project under a net metering agreement. The entire landfill parcel is jointly owned by the City of Haverhill and Aggregate Industries. Final proposal acceptance will be based on mutual benefit and negotiation with both parties. Aggregate Industries has not committed to the purchase of any net-metering credits as a result of this RFP.

### **1.2 CONTACT PERSON**

All communication regarding this RFP must be made in writing and directed to:

Orlando Pacheco, Energy Manager (978) 420-3606; [opacheco@cityofhaverhill.com](mailto:opacheco@cityofhaverhill.com)

### **1.3 SCHEDULE**

Proposal Due Date: November 17, 2014 at 2pm EST

### **1.4 PRE-PROPOSAL CONFERENCE AND SITE TOURS**

There will be one tour offsite to be held on Tuesday, November 4, 2014 at 11:00am EST at the Landfill Site on Groveland Road

### **1.5 ADDENDA AND EXPLANATIONS**

Explanations desired by a Respondent may be requested of the City in writing no later than November 10, 2014 2:00pm (EST).

## **1.6 SUBMITTAL REQUIREMENTS**

Proposals are due by November 17, 2014 at 2pm(EST). Proposals received after the due date and time will not be considered. Proposals must be submitted to:

*Orlando Pacheco*

*Purchasing Agent/Energy Manager*

*4 Summer Street; Room 105*

*Haverhill, MA 01830*

## **1.7 DISCLOSURE OF CONFIDENTIAL OR PROPRIETARY INFORMATION**

Vendors must specifically identify those portions of their proposals, if any, which they believe contain confidential or proprietary information or trade secrets. They must provide justification why such materials should not be disclosed under a public records request, including the proper citations to the law supporting the exclusion from the mandatory disclosure under the Public Records Law of Massachusetts, M.G.L. Chapter 66.

## **1.8 INCURRED EXPENSES**

The City is not responsible for any expenses that Vendors may incur in preparing and submitting proposals. All materials and documents submitted in response to this solicitation become the property of the City and will not be returned.

## **1.9 CONDITIONS**

Each Vendor shall become fully acquainted with conditions relating to the scope and performance of the work under the contract. The Vendor shall make a determination as to conditions and shall assume all development risk and responsibility and shall complete the work in and under conditions they may encounter or create, without extra cost to the City.

## **1.10 COMPETENCY OF VENDOR**

The opening of the sealed envelopes shall not be construed as an acceptance of the Vendor's qualifications. The City reserves the right to determine the competency and responsibility of a Vendor from its knowledge of the Vendor's qualifications or from other sources.

## **1.11 DISQUALIFICATION OF VENDOR**

Although not intended to be an exhaustive list of causes for disqualification, any one or more of the following causes, among others, may be considered sufficient for the disqualification of a Vendor and the rejection of a bid:

)  
)

- a) Evidence of collusion among Vendors;
- b) Questions of lack of competency as revealed by either experience or financial statements; or
- c) Default on a previous contract for failure to perform.

#### **1.12 LICENSES**

If required by law for the operation of the business or work related to this RFP, the Respondent and all sub-contractors must possess all valid certifications and/or licenses as required by federal, state, and local laws.

#### **1.13 PROCUREMENT REGULATIONS, EVALUATION, AND AWARD**

This RFP and any contract and/or lease entered into as a result thereof are subject to M.G.L. Chapter 30B. Each response to this RFP will be evaluated in accordance with M.G.L. Chapter 30B. Proposals will not be opened in public and will not be made public until an award has been made. Vendors meeting the minimum qualifications criteria outlined in Section 5.1 will advance to the proposal evaluation process.

The City may conduct such investigations as the City considers necessary to assist in the evaluation of any proposal and to establish the responsibility, qualifications and financial ability of the Vendor. The City shall be the sole judge of the Vendor's qualifications and whether the proposal is in the best interests of the City.

The City will select the responsive and responsible Vendor with the most advantageous proposal, taking into consideration the Vendor's experience, references, Technical Proposal, and Financial Benefits Proposal.

#### **1.14 NON-DISCRIMINATION**

The Respondent shall not discriminate against any person because of race, gender, age, disability, ancestry, religion, national origin, sexual preference, veteran status, or political affiliation or belief.

### **PART 2 -SCOPE OF WORK**

#### **2.1 DESCRIPTION OF THE PROJECT**

The City is interested in promoting the beneficial use of otherwise dormant land for renewable energy production.

The City has the ability to enter into a long-term Property Lease of 20 years to 40 years for the use of landfill property for the generation of solar electricity. Lease extension will be available up to 40 years on approval by the Massachusetts Legislature and/or City Council.

The Selected Vendor will be given 12 months to develop and construct the solar project. This includes the design, permitting and financing of the solar project. After the development phase is complete and

when the construction phase is about to start, the City and the Selected Vendor will execute a land lease. As part of the land lease, the Selected Vendor will take over operation and control of the landfill. It will maintain the physical integrity of the landfill cap, including all operations and maintenance requirements and be responsible for (i) operation of the solar field and (ii) general landfill operations and maintenance as agreed upon in the lease contract.

## **2.2 PERMITS, APPROVALS AND SITE SPECIFIC REQUIREMENTS**

The Selected Vendor shall be responsible for obtaining all relevant approvals and permits associated with the Solar Energy Project. These may include, but are not limited to: post-closure use permits, construction permits, sediment and erosion control permits, electrical permits and interconnection agreements with the local utility. All permits shall be submitted under the direction of a licensed professional engineer. The costs for these approvals, agreements and permits shall be borne by the Selected Vendor. The City will provide existing site-specific information, guidance, and support to the extent practical.

## **2.3 PROPERTY LEASE TERM**

The Selected Vendor shall enter into a Property Lease Agreement for a term of not less than 20 years. The City may apply for authorization to extend the lease to 40 years. Lease extension to 40 years will need approval by the City Council/Massachusetts Legislature.

## **2.4 CODES AND STANDARDS**

The Selected Vendor shall meet all applicable industry standards and requirements for all equipment utilized.

## **2.5 ELECTRICITY SALES**

The City will enter into negotiations with the Selected Vendor for net metering (a "net excess generation credit purchase agreement") for all the net solar energy production for a term to match the project lease term. The City will purchase up to 5 megawatts of net metering credits.

## **2.6 FINANCIAL ASSURANCE FOR SYSTEM REMOVAL**

The Selected Vendor will be required to post financial assurance to cover the costs of removal of the solar panels, removal of all electrical connections and equipment, and the legal proper disposal of all equipment and waste. The calculation shall also include all costs for returning the landfill cap and property to pre-project conditions. The calculations shall include all professional costs, labor costs, trucking costs, hauling and disposal costs, landscaping costs, and any other cost not mentioned but which is expected to be incurred.

## **2.7 INDEMNIFICATION**

The Selected Vendor shall be required to indemnify the City officers, employees and contractors against any claim for performance of the Selected Vendor's contractors' services contemplated by this RFP. The

Selected Vendor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the City, its officers and employees from and against any and all claims, demands, suits, actions, recoveries, judgments, costs and expenses in connection therewith, on account of the loss of life, property or injury or damage to the person, body or real property or tangible personal property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the work and/or materials supplied under this RFP and the resulting Property Lease Agreement.

### **PART 3 -INSURANCE REQUIREMENTS**

#### **3.1 INSURANCE REQUIREMENTS -CONSTRUCTION PHASE**

The Selected Vendor and subcontractors shall procure and maintain until all of their obligations have been discharged, including until any warranty periods under the Property Lease Agreement are satisfied and any insurance claims for injury to persons or damage to property which may arise from or in connection with the performance of the work by the Selected Vendor, its agents, representatives, employees, or subcontractors are dealt with.

##### **3.1.1 MINIMUM SCOPE AND LIMITS OF INSURANCE**

The Selected Vendor shall provide coverage with limits of liability not less than those stated below:

###### **A. Commercial General Liability – Occurrence Form**

Policy shall include bodily injury, property damage, and broad form contractual liability coverage.

General Aggregate: \$2,000,000

Products – Completed Operations Aggregate: \$1,000,000

Personal and Advertising Injury: \$1,000,000

Each Occurrence: \$1,000,000

###### **B. Workers' Compensation and Employer's Liability**

Workers' Compensation Insurance as required by the state of Massachusetts.

Employers' Liability Insurance covering all of Selected Vendor's employees working on or off the work site and acting within the scope of their employment as required by the state of Massachusetts.

###### **C. Excess Umbrella Liability**

Annual Aggregate: \$5,000,000.

#### **D. Builders' Risk Insurance or Installation Floater**

In an amount equal to the initial amount for the construction of the Solar Energy Project. The City and the Selected Vendor and subcontractors shall be "Insureds" on the policy. Coverage shall be written on an all risk, replacement cost basis and shall include coverage for soft costs. Policy shall be endorsed such that the insurance shall not be canceled or lapse because of any partial use or occupancy. Policy must provide coverage from the time any covered property becomes the responsibility of the Selected Vendor, and continue without interruption during construction, renovation, or installation, including any time during which the covered property is being transported to the construction installation site, or awaiting installation, whether on or off site.

### **3.2 INSURANCE REQUIREMENTS - OPERATION PHASE**

The Selected Vendor and subcontractors shall procure and maintain until all of their obligations have been discharged, including until any warranty periods under the Property Lease Agreement are satisfied and any insurance claims for injury to persons or damage to property which may arise from or in connection with the performance of the work by the Selected Vendor, its agents, representatives, employees, or subcontractors are dealt with. The insurance requirements herein are minimum requirements for the Property Lease and in no way limit the indemnity covenants contained in this RFP.

The City in no way warrants that the minimum limits contained herein are sufficient to protect the Selected Vendor from liabilities that might arise out of the performance of the work under the Property Lease Agreement by the Selected Vendor, its agents, representatives, employees, or subcontractors. The Selected Vendor is free to purchase such additional insurance as may be determined necessary.

#### **3.2.1 ADDITIONAL INSURANCE FOR OPERATION PHASE**

All of the insurance listed above in Section 3.1 shall remain in effect and full force for the term of the Lease. In addition, the Selected Vendor shall procure and maintain the following insurance:

##### **A. Property Insurance**

Property insurance shall be written on an all risk, replacement cost coverage. Policy shall be in force at the time of substantial completion of the Solar Energy Project's construction and continue until the termination of the Property Lease Agreement.

### **PART 4 -LEASE INFORMATION AND PROPOSED LEASE PROVISIONS**

#### **4.1 PARTIES TO THE LEASE**

The Property Lease Agreement and all exhibits thereto to be entered into as a result of this RFP shall be by and between the Selected Vendor and the Town.

#### **4.2 LEASE TERM**

The Property Lease Agreement term will be a minimum of 20 years. Because the term exceeds the Mayor's ability on contract allowable length the Property Lease Agreement will need to be approved at a legally noticed City Council meeting; the City shall retain the right to 2 or 4- 5 year lease extensions.

## **PART 5 -SUBMITTAL REQUIREMENTS: VENDOR QUALIFICATIONS**

### **5.1 MINIMUM VENDOR QUALIFICATIONS**

Bidders shall demonstrate the following minimum qualifications with supporting documentation in their proposal. Vendor Qualifications shall be submitted in a sealed envelope with the Vendors' Technical Proposal and Plan of Service.

#### **5.1.1 CORPORATE HISTORY AND STRUCTURE**

Each Vendor shall identify itself by corporate name or partnership name and/or affiliate name, if applicable, and list all officers, directors, primary stockholders, and partners of the Vendor. Vendors shall describe their corporate structure and the location or jurisdiction in which the Vendor is registered.

#### **5.1.2 PROJECT DEVELOPMENT EXPERIENCE**

Each Vendor shall submit documentation showing that the Vendor meets the following minimum qualification criteria:

- (i) The Selected Vendor for development of solar fields on the landfill parcel should demonstrate successful completion of more than 5 solar projects of 2MWH or larger (highly advantageous)
- (ii) The Selected Vendor for development of solar fields on the landfill parcel should demonstrate successful completion of 4-5 solar projects of 500KWH or larger (advantageous)
- (iii) The Selected Vendor for development of solar fields on the landfill parcel should demonstrate successful completion of 2-3 solar projects of 2MWH or larger (not advantageous)
- (iv) The Selected Vendor for development of solar fields on the landfill parcel should demonstrate successful completion of 1 or less projects of 2MWH or larger (unacceptable)



(v) The Selected Vendor will demonstrate its brownfields project development experience, including interacting with state environmental and permitting agencies and energy departments and city boards/committee/commissions.

(vi) Selected Vendor needs to document experience and understanding of the environmental insurance industry, including, but not limited to, experience with insuring environmentally distressed land and a plan for insuring the proposed parcel.

(vii) The Selected Vendor will show knowledge of the independent power supply industry. This should include a project history that demonstrates an understanding of how the deregulated power supply industry functions and a project list of New England power projects.

(viii) The Selected Vendor must demonstrate its ability to manage the power project development, including the utility interconnection agreement, credit purchase agreement (a/k/a "virtual net metering agreement"), state and local permits, and project insurance.

### **5.1.3 FINANCIAL CAPACITY**

1 Annual reports or other current audited financial data of the Vendor shall be submitted for the prior 3 years.

2 Vendors must identify specifically those portions of their financial history, if any, which they believe contain confidential information. These portions of the Vendor's submittal treated as confidential under Section 1.7 will not be released as public documents.

3 The Vendor with the winning bid must demonstrate its ability to obtain project financing.

### **PART 6 -SUBMITTAL REQUIREMENTS: TECHNICAL PROPOSAL**

Each Vendor must provide a Technical Proposal that addresses the requirements listed below. The Technical Proposal must be submitted in a separate envelope from the Minimum Vendor Qualifications as described in Section 5.1. If a Vendor meets the Minimum Vendor Qualifications outlined in Section 5 then the evaluation team will review their Technical Proposal and Financial Benefits Proposal.

### **6.1 BUSINESS REGISTRATION**

The Vendor will provide proof of valid business registration in the state in which its main office or headquarters is located.

The Vendor will provide proof of business registration with the United States Internal Revenue Service (Federal Employer Identification Number).

### **6.2 PERFORMANCE BOND AND INSURANCE**

The Vendor will provide a certification from a Corporate Officer that the Vendor will meet the bond and insurance requirements outlined in this RFP and that any subcontractor utilized will meet the same insurance requirements.

### **6.3. ELECTRICAL INTERCONNECTION**

The Vendor must be familiar with utility interconnection rules and regulations. All Technical Proposals must include a description of the electrical interconnection strategy. This description shall include a layout of the electric path from the landfill property to a delivery point; including single line electrical drawing(s) representing interconnection with a grid tied electrical distribution system. The Selected Vendor will be responsible for obtaining a utility interconnection agreement as required.

### **6.4 REQUIRED PLANS**

Each Vendor shall include the following plans with their proposal:

- a) Plan for maintaining the landfill cap integrity during and after the Solar Energy System installation.
- b) Vegetation Control Plan around solar panels after installation.
- c) Operations and Maintenance Plan for the subject property for the term of the Lease Agreement considering all state and federal requirements for the leased property.
- d) Security Plan (to protect the system from damage from individuals).
- e) On-going Maintenance Plan for the solar project for the term of the Property Lease.

\*Access must be given to City officials or their designees to conduct required testing in accordance with MADEP Requirements

### **6.5 STAGING AND CONSTRUCTION AREAS**

The Technical Proposal shall identify the staging and construction areas at the landfill property, including areas for delivery and placement of equipment.

### **6.6 PROJECT PERSONNEL**

All Technical Proposals shall include resumes for all key project personnel that will be involved in the financing, design, permitting, construction, operation, maintenance and every other aspect of the project.

## **PART 7 – SUBMITTAL REQUIREMENTS: FINANCIAL BENEFITS PROPOSAL**

The Financial Benefits Proposal will be submitted in a separate envelope from the Technical Proposal. Only those Vendors that meet the minimum qualifications will have their Technical and Financial Benefits Proposals considered and evaluated.

### **7.1 FINANCIAL BENEFITS PROPOSAL**

All Financial Benefits Proposals shall consist of annual payments to be made to the City in the following ways:

#### **7.1.1 ANNUAL LEASE PAYMENT**

The Vendor will propose an annual lease payment to the City each year of the lease term, except for the first year when said lease payment shall be due within 30 days of signing the Property Lease Agreement.

#### **7.1.2 PAYMENT IN LIEU OF TAXES (PILOT)**

The Selected Vendor will propose an annual payment in lieu of taxes (PILOT) to the City every year of the lease term beginning in the fiscal year immediately following the commercial operating date (COD) of the Solar Energy System.

#### **7.1.3 NET EXCESS GENERATION CREDIT PURCHASE PROPOSAL AKA**

##### **"VIRTUAL NET METERING" PROPOSAL**

Vendor shall propose the virtual net metering proposal for the first 20 years of the solar project's commercial operation. This will be in the form of a credit against the City's electric bill for the power produced by the solar project. Under Massachusetts law, the utility may provide the City a renewable energy- net metering credit against their bill, and the City would then pay the project for an agreed upon portion of the credit.

#### **PART 8 -SUBMITTAL FORMAT**

In addition to the Submittal Requirements listed in Section 1.6, the Vendor's Proposal shall consist of the following:

##### **8.1 MINIMUM VENDOR QUALIFICATIONS – SEALED ENVELOPE**

##### **8.2 TECHNICAL PROPOSAL – SEALED ENVELOPE**

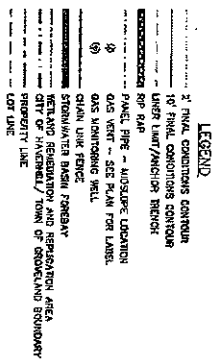
##### **8.3 FINANCIAL BENEFITS PROPOSAL – SEALED ENVELOPE**

#### **PART 9-RULE OF AWARD**

The City will award to the vendors who submits the most advantageous technical & financial proposal to the City based on the overall net benefits to the parties involved.

## AS-BUILT PLAN

1. TOPGANGERS AND PLEASANT RIDERS TRAIL R&V LIMITED TRUL OWNERS OF THE ESTATE OF THE LATE WILLIAM L. HENNING, JR. ET AL. A. CORP. OF FLA. HAS OWNERSHIP IN 3075 ORANGE DALE 1-4-57.
2. PROPERTY LOCATED AT 1400 N. G. WALKER & ASSOCIATES, INC. OF HAWAIIAN ISLANDS INC. 1000 LAYLA LANE, HONOLULU CITY OF HAWAII, LHM 31 AND 32 AND HAWAIIAN HONOLULU LHM 32, 33 AND 37.



AS-BUILT CONDITIONS PLAN

## PROPERTY RECORD CARD

## **PROPERTY RECORD CARDS**





# EXTERIOR INFORMATION

Type	
SV Ht	
(Lb) Units	Total
Foundation	
Frame	
Prime Wall	
Sec Wall	
Roof Shict	
Roof Cover	
Color	
View/Desir	

# GENERAL INFORMATION

Grade	
Year Bld	Est. V-Bld
Alt LUC	Alt %
Unstdict	Fact
Const Mod	
Lump Sum Adj	

# INTERIOR INFORMATION

Avg Ht/Ft	
Prim Int Wall	
Sec Int Wall	
Partition	
Prim Floors	
Sec Floors	
Bsmnt/Fit	
Bsmnt Gar	
Electric	
Insulation	
Int vs Ext	
Heat Fuel	
Heat Type	
# Heat Sys	
% Heated	% AC
Solar HW	Central Vac
% Com Yr	% Sprinkled

# BATH FEATURES

Full Bath	Rating
A Bath	Rating
3/4 Bath	Rating
A 3/4 Bath	Rating
1/2 Bath	Rating
A 1/2 Bath	Rating
Other Fk	Rating

# OTHER FEATURES

Kits	Rating
A Kits	Rating
Fpd	Rating
MSFue	Rating

# CONDO INFORMATION

Location	
Total Units	
Floor	
% Own	
Name	

# DEPRECIATION

Phys Cond	AV - Average	0.0
Functional		
Economic		
Special		
Override		
Total		0%

# CALC SUMMARY

Basic \$ / SQ	1,000,000,000
Size Adj	8,000,000,000
Const Adj	
Ad \$ / SQ	
Other Features	0
Grade Factor	
Neighborhood Int	1,000,000,000
LUC Factor	1.00
Ad Total	0
Depreciation	0
Depreciated Total	0

# COMPARABLE SALES

Rate	Parcel ID	Type	Date	Sale Price

# COMMENTS

TOPO FORMER LANDFILL NOW BEING CAPPED.

# RESIDENTIAL GRID

1st Res Grid	2nd Res Grid	3rd Res Grid	4th Res Grid	5th Res Grid	6th Res Grid	7th Res Grid	8th Res Grid	9th Res Grid	10th Res Grid

# REMODELING

# RES BREAKDOWN

Exterior	Interior	Additions	Kitchen	Baths	Remolding	Electric	Heating	General

# SKETCH

# SUB AREA

Code	Description	Area	SG	Rate	AV	Under Value

# SUB AREA DETAIL

Sub	%	Descr	%

# SPEC FEATURES/YARD ITEMS

Code	Description	A	V	Q	Std Dm	Qual	Col	Year	Unit Price	B/S	Dep	LUC	Fact	NB Fg	App Value	Good Fact	Units	Value

# IMAGE

AssessPro Patriot Properties, Inc

776 788 21  
Map Block Lot

1 of 1  
CARD

City of Haverhill

TOTAL ASSESSED: 97,500  
1/19/1961

PROPERTY LOCATION

No. 1000 Direction Street City  
GROVELAND RD, HAVERHILL

OWNERSHIP

Owner 1: CITY OF HAVERHILL  
Owner 2: PUBLIC WORKS DEPT  
Owner 3:  
Owner 4: SUMMER ST

Street 1:  
Street 2:  
City: HAVERHILL

State: MA  
Postal: 01830

Owner 1:  
Owner 2:  
Owner 3:  
Owner 4:

Street 1:  
Street 2:  
City:  
State:  
Postal:

Owner 1:  
Owner 2:  
Owner 3:  
Owner 4:

Street 1:  
Street 2:  
City:  
State:  
Postal:

Owner 1:  
Owner 2:  
Owner 3:  
Owner 4:

Street 1:  
Street 2:  
City:  
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Owner 4:

Street 1:  
Street 2:  
City:  
State:  
Postal:

Owner 1:  
Owner 2:  
Owner 3:  
Owner 4:

IN PROCESS APPRAISAL SUMMARY

Use Code Building Value Yard Value Land Size Land Value Total Value  
930 11,200 97,500 97,500

Legal Description

Parcel ID 776-788-21

Print

Date

Time

Print

Date

Time

Print

Date

Time

Print

Date

Time

Print

Date

Time

Print

Date

Time

Print

Date

Time

Print

Date

USER DEFINED

Period #1

Period #2

Period #3

Period #4

Period #5

Period #6

Period #7

Period #8

Period #9

Period #10

Period #11

Period #12

Period #13

Period #14

Period #15

Period #16

Period #17

Period #18

Period #19

Period #20

Period #21

Period #22

Period #23

Period #24

Period #25

Period #26

ASR Map

ASR Map

ASR Map

ASR Map

ASR Map

ASR Map

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ASR Map



776 788 24  
Map Block Lot

Lot Lot CARD  
1 of 1

City of Haverhill

TOTAL ASSESSED: 97,100  
1191871

PROPERTY LOCATION

No. 776 Direction Street City  
Map GROVELAND RD, HAVERHILL

OWNERSHIP

Owner 1: CITY OF HAVERHILL  
Owner 2: TAX DEPT  
Owner 3: 14 SUMMER ST  
Street 2:  
Town/City: HAVERHILL  
State: MA County: Own. Occ: N  
Postal: 01830 Type:

PREVIOUS OWNER

Owner 1:  
Owner 2:  
Street 1:  
Town/City:  
State: MA County: Own. Occ: N  
Postal: 01830 Type:

NARRATIVE DESCRIPTION

This Parcel contains 11.07 ACRES of land mainly classified as MUNICIPAL

OTHER ASSESSMENTS

Code Description Amount Cont. Int.

PROPERTY FACTORS

Item	Code	Descr	%	Item	Code	Descr
1	0		1	1	TYPO	
2	0		1	1	TYPO	
3	0		1	1	TYPO	
4	0		1	1	TYPO	
5	0		1	1	TYPO	
6	0		1	1	TYPO	
7	0		1	1	TYPO	
8	0		1	1	TYPO	
9	0		1	1	TYPO	
10	0		1	1	TYPO	
11	0		1	1	TYPO	
12	0		1	1	TYPO	
13	0		1	1	TYPO	
14	0		1	1	TYPO	
15	0		1	1	TYPO	
16	0		1	1	TYPO	
17	0		1	1	TYPO	
18	0		1	1	TYPO	
19	0		1	1	TYPO	
20	0		1	1	TYPO	
21	0		1	1	TYPO	
22	0		1	1	TYPO	
23	0		1	1	TYPO	
24	0		1	1	TYPO	
25	0		1	1	TYPO	
26	0		1	1	TYPO	
27	0		1	1	TYPO	
28	0		1	1	TYPO	
29	0		1	1	TYPO	
30	0		1	1	TYPO	
31	0		1	1	TYPO	
32	0		1	1	TYPO	
33	0		1	1	TYPO	
34	0		1	1	TYPO	
35	0		1	1	TYPO	
36	0		1	1	TYPO	
37	0		1	1	TYPO	
38	0		1	1	TYPO	
39	0		1	1	TYPO	
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41	0		1	1	TYPO	
42	0		1	1	TYPO	
43	0		1	1	TYPO	
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45	0		1	1	TYPO	
46	0		1	1	TYPO	
47	0		1	1	TYPO	
48	0		1	1	TYPO	
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88	0		1	1	TYPO	
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90	0		1	1	TYPO	
91	0		1	1	TYPO	
92	0		1	1	TYPO	
93	0		1	1	TYPO	
94	0		1	1	TYPO	
95	0		1	1	TYPO	
96	0		1	1	TYPO	
97	0		1	1	TYPO	
98	0		1	1	TYPO	
99	0		1	1	TYPO	
100	0		1	1	TYPO	

LAND SECTION (first 7 lines only)

Use	Description	LUC	No of Units	Depth	Unit Type	Land Type
930	MUNICIPAL		4360		SQUARE FEET	
930	MUNICIPAL		10.07		ACRES EXCESS	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description	User Acct
930			11.070	97,100	97,100		
Total Parcel			11.070	97,100	97,100		
Source:	Market Adj Cost	Total Value per Sq. Int. Card	N/A	Parcel N/A	Land Unit Type		

PREVIOUS ASSESSMENT

Tax Yr	Use	Code	Build Value	Yard Value	Land Size	Land Value	Total Value	Assessed Value	Notes	Date
2014	930	FV			11.07	93,100	93,100	93,100	Year End Roll	12/23/2013
2013	930	FV			11.07	103,500	103,500	103,500	Year End	12/26/2012
2012	930	FV			11.07	103,600	103,600	103,600		12/20/2011
2011	930	FV			11.07	114,400	114,400	114,400	final values	10/4/2010
2010	930	FV			11.07	114,400	114,400	114,400	Year End	12/17/2009
2009	930	FV			11.07	114,400	114,400	114,400	YEAR END	12/4/2008
2008	930	FV			11.07	122,000	122,000	122,000		11/16/2007
2007	930	FV			11.07	244,000	244,000	244,000	year end	12/20/2006

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Int	Verf	Assoc Ref	Value	Notes
	4427 265		2/6/1993			No	No				

PAT ACCT.

Date	Result	Notes
6/28/2007	REVIEWED	
9/26/1980	NMC INFO	

BUILDING PERMITS

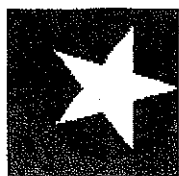
Date	Number	Descr	Amount	C/O	Last Visit	Fee Code	F Descr	Comment

ACTIVITY INFORMATION

Date	Result	Notes
6/28/2007	REVIEWED	
9/26/1980	NMC INFO	

Sign VERIFICATION OF VISIT NOT DATA

Use	Description	LUC	No of Units	Depth	Unit Type	Land Type	Appraised Value	Alt	Spec	Code	Fact	Use Value	Notes
930	MUNICIPAL		4360		SQUARE FEET		60,766					60,800	
930	MUNICIPAL		10.07		ACRES EXCESS		36,252					36,300	



Parion Properties Inc

USER DEFINED

Priority #1	Priority #2	Priority #3	Priority #4	Priority #5	Priority #6	Priority #7	Priority #8	Priority #9	Priority #10

LAST REV

Date	Time
02/27/13	16:07:28

ASSR Map

Year	Reval Dist	Reval Date

LandFees

Year	Reval Dist	Reval Date

STEVE GULLO CONVERSION

## EXTERIOR INFORMATION

Type:				
SV Ht:				
(W) Units:		Total:		
Foundation:				
Frame:				
Prime Wall:				
Sec Wall:				%
Roof Struct:				
Roof Cover:				
Other:				
View / Detail:				

### BATH FEATURES

Full Bath	Rating:
A Bath	Rating
3/4 Bath	Rating
A 3/4 Bath	Rating
1/2 Bath	Rating
A 1/2 Bath	Rating
Other	Rating

## COMMENTS

FORMER DUMP TRNSPT TO 24A

### SKETCH

## GENERAL INFORMATION

Grade:		Enrollment
Year Billed		At %
Amount		Factor
Interest		
Cost Mod:		
Lump Sum Adj:		

## **INTERIOR INFORMATION**

Avg HUF/L	Print Int Mail	Sec Int Mail	Partition	Prim Fibres	Sec Fibres
%	%	%			%

## DEPRECIATION

Phys Cont	AV	- Average	0.0%
Functional			0%
Economic			0%
Special			0%
Overall			0%
Total			0%

RESIDENTIAL GRID	
1st Res Grid	Desc.

	RMS	BRS	Pairs	H/B
Totals				
Lower				
Lvl 1				
Lvl 2				
Upper				
Other				
Level				

## REMODELING

	No. Units	SALES	BRS	FL
Electric				
Interior				
Additions				
Kitchen				
Baths				
Plumbing				
Electric				

### RES BREAKDOWN

NO UNIT RMS BFS FL

## CALC SUMMARY

Basic \$ / Sq.	
Size Adj.	1.00000000
Const Adj.	8.00000000
Adj \$ / Sq.	
Other Features	0
Grade Factor	

## COMPARABLE SALES

[illegible]

## SUB AREA

Code	Description	Area	80	Rate - A\	Under Value
------	-------------	------	----	-----------	-------------

**SLIP AREA DETAIL.**

Sub	%	Descrb	%	Qu
Area	Usbl	Type		1

**SPEC FEATURES/YARD ITEMS**

Code	Description	A	Y	M	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUO	Fac	NB Fa	App Value	UCod J Fac	Juns Value
------	-------------	---	---	---	-----	----------	------	-----	------	------------	-----	-----	-----	-----	-------	-----------	------------	------------

IMAGE

## AssessPro Patriot Properties, Inc.



776 788 26  
Map Block Lot

1 of 2 INDUSTRIAL  
CARD  
City of Haverhill  
TOTAL ASSESSED: 43,500  
1191941

PROPERTY LOCATION

No. Alt. No. Direction/Street/City  
GROVELAND RD, HAVERHILL

OWNERSHIP

Owner 1: TRIMOUNT BITUMINOUS PROD CO  
Owner 2:  
Owner 3:

Street 1: 1715 BROADWAY  
Street 2:  
Town/City: SAUGUS

Sub/Plot: MA City: Own Occ: N  
Postal: 01906 Type:

PREVIOUS OWNER

Owner 1:  
Owner 2:  
Street 1:  
Town/City:  
Sub/Plot:  
Postal:

NARRATIVE DESCRIPTION

This Parcel contains 5.3 ACRES of land mainly classified as  
LAND with a(n) WAREHOUSE Building Built about 1940,  
Having Primarily CONC BLOCK Exterior and TAR-GRAVEL  
Roof Cover, with 1 Units, 0 Baths, 0 3/4 Baths, 0  
Rooms, and 0 Baths.

OTHER ASSESSMENTS

Code Description Amount Com. Int.

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	

Use Code	Building Value	Yard Value	Land Size	Land Value	Total Value	Legal Description
130	7,000	700	5,300	33,900	41,600	



Patriot  
Properties Inc

USER DEFINED

Print Date Time

Print Date Time

Print Date Time

Print Date Time

Print Date Time

Print Date Time

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Print Date Time

BUILDING PERMITS

Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
------	--------	-------------	--------	-----	------------	----------	-----------------	---------

Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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Date	Number	Description	Amount	C/O	Last Visit	Fee Code	Fee Description	Comment
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ACTIVITY INFORMATION

Date	Result	By	Name
------	--------	----	------

Date	Result	By	Name
------	--------	----	------

Date	Result	By	Name
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Date	Result	By	Name
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Date	Result	By	Name
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Date	Result	By	Name
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Date	Result	By	Name
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Date	Result	By	Name
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Date	Result	By	Name
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Date	Result	By	Name
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Date	Result	By	Name
------	--------	----	------

Date	Result	By	Name
------	--------	----	------

Total ACHHA 5 30000	Total SF/SM 230866 02	Parcel 130 130	LAND	Phone NB Desc 6 BRAD WOOD AV	Total	33,897	SF/Creat	Ida	33,900
---------------------	-----------------------	----------------	------	------------------------------	-------	--------	----------	-----	--------

# EXTERIOR INFORMATION

Type	43 - WAREHOUSE
SV Ht	1 - 1
Foundation	6 - SLAB
Frame	2 - STEEL
Prime Wall	21 - CONC BLOCK
Sec Wall	1 - NONE
Roof Sidel	4 - FLAT
Roof Cover	4 - TAR+GRAVEL
Color	
View	Desct

# GENERAL INFORMATION

Grade	C - AVG. (-)
Year Bld	1940
Altitude	Alt %
Insulated	Each
Const Mod	
Lump Sum Adj	

# INTERIOR INFORMATION

Avg Ht/Ft	STD
Prim Wall	5 - MINIMUM
Sec Wall	
Partition	L - TYPICAL
Pann Floors	12 - CONCRETE
Sec Floors	
Bsmnt Flr	
Bsmnt Gar	
Electric	3 - TYPICAL
Insulation	2 - TYPICAL
Intus EXITS	
Heat Fuel	5 - NONE
Heat Type	8 - NONE
# Heat Syst	0
% Heated	0
Solar H/W	NO
% Central Vac	NO
% Sprinkler	

# BATH FEATURES

Full Bath	Rating
3/4 Bath	Rating
2 1/2 Bath	Rating
1 1/2 Bath	Rating
ASHBth	Rating
OTHER	Rating

# OTHER FEATURES

Kits	Rating
A Kits	Rating
Fdp	Rating
MSF	Rating

# CONDO INFORMATION

Location	
Total Units	
Floor	1 - 1ST FLOOR
% Own	
Name	

# DEPRECIATION

Phys Cont	DL - Depreciated	80 %
Functional		
Economic	O - OTHER	75 %
Special		
Overide		
Total		95 %

# CALC SUMMARY

Basic \$ / SQ	82.00
Size Adj	1,091,157.66
Const Adj	0,7728,1940
Adj \$ / SQ	26,985
Other Features	-14,402
Grade Factor	0.92
Neighborhood Adj	1,000,000.00
LUO Factor	1.00
Adj Total	140,706
Depreciation	13,367.1
Depreciated Total	7035

# COMPARABLE SALES

Rate	Parcel ID	Type	Date	Sale Price

# COMMENTS

TRIMOUNT BITUMINOUS MOST BLD IN GROVELAND FORMER LANDFILL NOW BEING CAPPED.

# RESIDENTIAL GRID

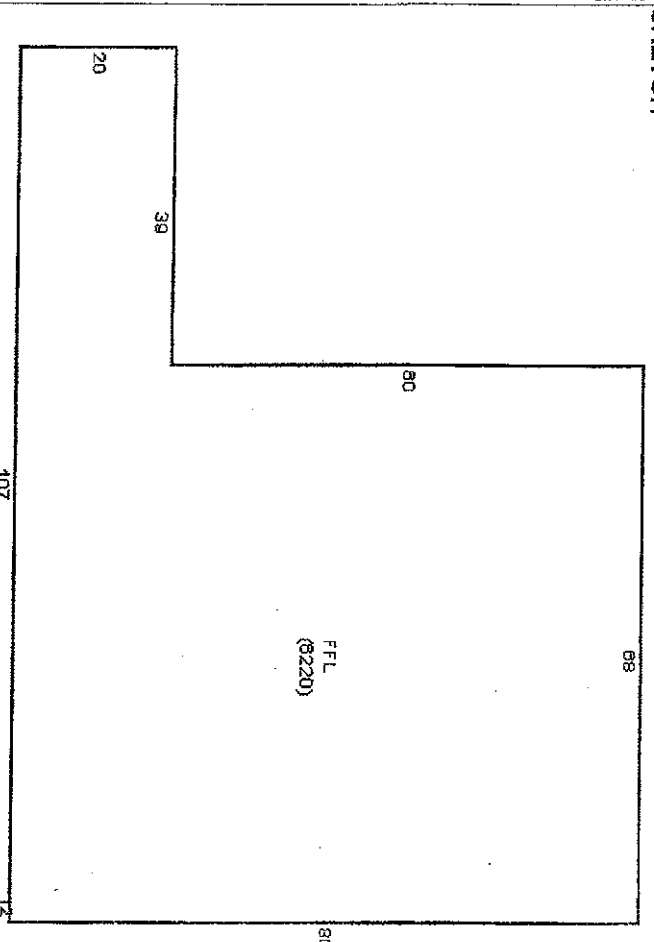
1st Res Grid	Desc	# Units
Level	1st FL DR D	FR BR BR FB HB L O
Other		
Upper		
Lower		
Totals	RMS	BRB Baths HBI

# REMODELING

# RES BREAKDOWN

Exterior	
Interior	
Additions	
Kitchen	
Baths	
Plumbing	
Electric	
Heating	
General	
Totals	

# SKETCH



# SUB AREA

Code	Description	Area	SO	Rate	SAV	Under Value
FLL	1ST FLOOR	6,220		26,980		167,844

# SUB AREA DETAIL

Code	Description	Area	SO	Rate	SAV	Under Value
	Net Sited Area	6,220				167,844
	Size Adj	6,220		Gross Area	6,220	Fit Area
					6,220	6,220

# IMAGE

AssessPro Patriot Properties, Inc

# SPEC FEATURES/STANDARD ITEMS

Code	Description	A	Y	Q	Size Dim	Qual	Con	Year	Unit Price	DIS	Dep	LUO	Acc	NEFA	App Value
1	SHEDMITL	D	Y		16'X10'			1980	226 T	95	130				700

PARCEL ID 776-788-26





# EXTERIOR INFORMATION

Type 30 - GARAGE	Full Bath	Rating
SV Ht 1 - 1	A Bath	Rating
(LW) Units 1 - 1	2nd Bath	Rating
Foundation 6 - SLAB	3rd Bath	Rating
Frame 1 - WOOD	4th Bath	Rating
Pipe Wall 18 - CORREG STL	A Hbth	Rating
Sec Wall	Other	Rating
Roof Struct 7 - SHED	OTHER FEATURES	
Roof Cover 10 - ROLLED	Kids	Rating
Color	Arms	Rating
View / Deck	Ftpt	Rating
GENERAL INFORMATION		WSElve
Grade/C - AVERAGE	CONDO INFORMATION	
Year Bld 1945	Location	
AN ELOC	Total Units	
Unsold	Floor 1 - 1ST FLOOR	
Const Mod	% Own	
Lump Sum Adj	Name	

# BATH FEATURES

# COMMENTS

# SKETCH

POOR CONDITION	
RESIDENTIAL GRID	
1st Res Grid Desc	#Units
Level	BY LR DR DL K FR RR BR FB HB L O
Other	
Upper	
M2	
M1	
Lower	
Totals	RMS BRS Baths HB

# REMODELING

# RES BREAKDOWN

Exterior	No Units	RMS	BRS	FL
Interior				
Additions				
Kitchen				
Baths				
Plumbing				
Electric				
Heating				
General				

# INTERIOR INFORMATION

# DEPRECIATION

# REMODELING

# RES BREAKDOWN

Avg Ht/L STD	Plm Ht Wall 5 - MINIMUM	Sec Int Wall	Partition	Prim Floors	Sec Floors	Bsmnt Ftr	Bsmnt Gar	Electric 3 - TYPICAL	Insulation 2 - TYPICAL	Intvs Ext S	Heat Fuel 7 - COAL	Heat Type 6 - STEAM	# Heat Sys 0	% Heated 100	Solar HW NO	% Con Wall

# CALC SUMMARY

# COMPARABLE SALES

# SUB AREA

# SUB AREA DETAIL

Basic \$ / SQ 23.00	Size Adj 1.33076918	Const Adj 0.81441671	Adj \$ / SQ 24.927	Other Features 0	Grade Factor 1.00	Neighborhood Adj 1.00000000	LUC Factor 1.00	Adj Total 38887	Depreciation 36942	Depreciated Total 1944

Rate	Parcel ID	Yrs	Date	Sale Price

Code	Description	Area - SQ	Rate - AV	Undert Value	Sub %	Descr	%
FFL	1ST FLOOR	1,560	24,930	38,887			

Code	Description	Area - SQ	Rate - AV	Undert Value	Sub %	Descr	%
FFL	1ST FLOOR	1,560	24,930	38,887			

# SPEC FEATURES/YARD ITEMS

# PARCEL ID

# IMAGE

AssessPro Patriot Properties, Inc



## EXTERIOR INFORMATION

	Stair			
	S/H C/C			
	Lv/Balms	Total		
	Foundation			
	Frame			
	Prime Wall		%	
	Sec Wall			
	Roof Slab			
	Roof Cover			
	Color			
	View / Descr			

## BATH FEATURES

Full Bath	Rating:	
A Bath	Rating:	
3/4 Bath	Rating:	
A3CBth	Rating:	
1/2 Bath	Rating:	
AHBth	Rating:	
Other	Rating:	

## OTHER FEATURES

Kits	Rating
A Kits	Rating
Fpl	Rating
MSF Use	Rating

### CONDO INFORMATION

[illegible]

## DEPRECIATION

Phys. Cond.	AV - Average	0.0%
Functional		%
Economic		%
Special		%
Overdue		%

10

CALC SUMMARY		Rate
Basic \$ / SQ.	1.00000000	
Size Adj.		
Const Adj.	8.00000000	
Adj \$ / SQ.		
Other Features	0	
Grade Factor		
Neighborhood Infl.	1.00000000	
UIC Factor	1.00	
Adj Total	0	
Discount	0	
Adj		

## COMMENTS

ACCESS OVER ROW FORMER LANDFILL  
NOW BEING CAPPED.

## SKETCH

## RESIDENTIAL GRID

[illegible]

## REMODELING

### RES BREAKDOWN

	No Unit	RMS	BRS	F.L.
Extend:				
Interiors:				
Auditorium:				
Kitchen:				
Baths:				
Plumbing:				
Electric:				
Heating:				
Totals:				

## SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr. Value
------	-------------	-----------	-----------	---------------

CLIP ABEA.NET 11

Sub	%	Descrip	%	Cu
Area	Usd	Type		
17				

### COMPARABLE SALES

Rate	ParcelID	Type	Date	Sale Price
------	----------	------	------	------------

## SPECIAL FEATURES/YARD ITEMS

[illegible]

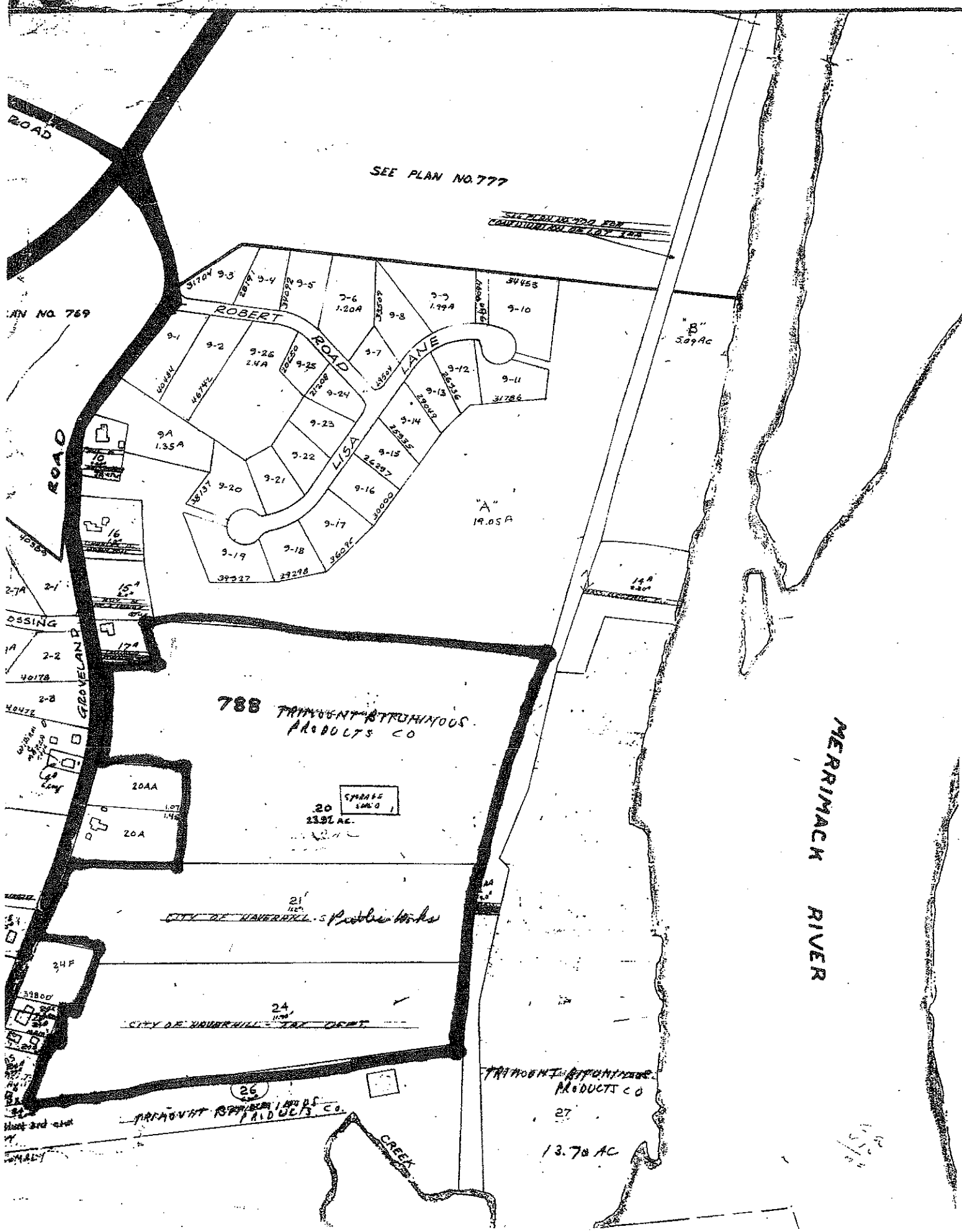
IMAGE

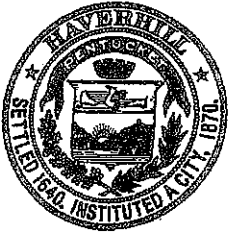
**AssessPro** Patriot Properties, Inc.

Net Sketched Area		Total:	
Size/Id	Gross Area	FinArea	

## ASSESSOR MAP

13.70 AC





# Haverhill

City Clerk's Office, Room 118  
Phone: 978-374-2312 Fax: 978-373-8490  
cityclerk@cityofhaverhill.com

Date: 1-2-15

Honorable President and Members of the Municipal Council:

The Undersigned respectfully asks to receive a license for TAG DAYS:

Organization: Haverhill Little League Applicant's Name: Larry O'Brien

Applicant's Residence: 24 Merrimac Rd Haverhill Applicant's Signature: [Signature]

(3 Consecutive Days Only, One of which may include solicitation on a Public Way)

Date of Tag Day Request(s): 5-29+30 2015 Date-solicitation on Public Way: 5-29+30 2015

Canister: K Tag:        Fee: \$       

## Street Locations (Select Below):

Rosemont St and Main St:       

Water St and Mill St:       

South Main St & Salem St:         
(Bradford Common)

Main St & Kenoza Ave:         
(Monument Square)

Shamrock  
Liquors  
Harry's Liquors  
US Post Office

## Off Street Locations (Specify Other):

Market Basket  
Heavenly Donuts  
One Stop Market  
Papa Ginos

Recommendation by Police Chief: ✓ **Office Use Only**  
Approved

       Denied

[Signature]  
Police Chief

In Municipal Council:       

Attest:       

City Clerk



# Haverhill

City Clerk's Office, Room 118  
Phone: 978-374-2312 Fax: 978-373-8490  
cityclerk@cityofhaverhill.com

Date 12-1-11

HONORABLE PRESIDENT AND MEMBERS OF THE MUNICIPAL COUNCIL:

13.1

THE UNDERSIGNED RESPECTFULLY ASKS THAT HE MAY RECEIVE A LICENSE FOR **DRAINLAYER**

Drainlayer's Name: Anthony Denapoli Signature: Chris Neri  
Business Name: Mirra Co. Inc.  
Business Address: 6 Boone Way PO Box 399  
City Georgetown State MA Zip 01833  
Business Phone: 978 352-7879 Fax: 978 352-7172

*Must Complete Additional Personal Information on Back*

NEW/RENEWAL:

No. \_\_\_\_\_  
Fee 100.-  
Bonds on File: ✓

Approved ✓  
Denied \_\_\_\_\_

[Signature]  
City Engineer

In Municipal Council, \_\_\_\_\_ 20\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk

(See other side)







# Haverhill

City Clerk's Office, Room 118  
Phone: 978-374-2312 Fax: 978-373-8490  
cityclerk@cityofhaverhill.com

Date 10/25/14

HONORABLE PRESIDENT AND MEMBERS OF THE MUNICIPAL COUNCIL:

THE UNDERSIGNED RESPECTFULLY ASKS THAT HE MAY RECEIVE A LICENSE FOR **DRAINLAYER**

Drainlayer's Name:

Gerald McGovern

Signature:

Business Name:

Caruso & McGovern Construction, Inc.

Business Address:

One Industrial Way

City

Georgetown

State

MA

Zip

01833

Business Phone:

978-352-3399

Fax:

*Must Complete Additional Personal Information on Back*

NEW/RENEWAL:

No.

Fee

100.00

Bond on File:

✓

Approved

Denied

[Signature]  
City Engineer

In Municipal Council, \_\_\_\_\_

20

Attest:

\_\_\_\_\_  
City Clerk

*Hearing March 10 2015*

**FIORIELLO & MIGLIORI**  
ATTORNEYS AT LAW

KAREN L. FIORELLO  
kfiorello@fimilaw.com

FIREHOUSE CONDOMINIUMS  
18 ESSEX STREET  
HAVERHILL, MASSACHUSETTS 01832  
TEL 978/373-3003 FAX 978/373-3066

MICHAEL J. MIGLIORI  
mmigliori@fimilaw.com

*141*

January 12, 2015

***Hand Delivered***

John A. Michitson, President  
Haverhill City Council  
City Hall  
4 Summer Street  
Haverhill, MA 01830

Re: Special Permit  
Owner/Applicant: Gary A. Caruso, Trustee of 194 Main Street Realty Trust  
Parcel ID: 306-78-1

Dear President Michitson:

Please be advised this office represents 194 Main Street Realty Trust, Owner/Applicant regarding property located at 46-50 Primrose Street and being shown on Haverhill Assessor's Map 306 Block 78 Lot 1.

The premises consist of 11,208 square feet of land.

194 Main Street Realty Trust is requesting a Special Permit from the City of Haverhill to construct five (5) condominium units in two (2) buildings as set forth in Haverhill Zoning Ordinance Chapter 255 Section 80.

The property is shown in Haverhill Assessor's Map 306 Block 78 Lot 1 and is located in the "RU" Zoning District.

Kindly refer this matter to the Planning Board for a hearing on February 11, 2015 and schedule a subsequent hearing to be held before the City Council. I have enclosed the appropriate plans, reports and fees in connection with the requested Special Permit.

The applicant further agrees to waive the statutory requirement for the Haverhill City Council to hold a hearing on the matter within sixty-five (65) days.

Should you have any questions or need any additional information, please don't hesitate to contact me.

MJM/dma

Enc.

c.c.: Gary Caruso

William Pillsbury  
Stephen Stapinski  
Ronald Albert

IN CITY COUNCIL: January 20 2015

REFER TO PLANNING BOARD and

VOTED: that COUNCIL HEARING

BE HELD MARCH 10 2015

Attest:

Assistant City Clerk

Sincerely yours,

Michael J. Migliori

Maria Avramides  
Melpa Roumeliotis  
6 Rose St  
Haverhill, MA 01830

February 20, 2015

Dear Haverhill City Council:

We are writing in opposition to the proposed condo development at 46-50 Primrose St. We have lived at our address for over 40 years and believe this project would negatively impact our neighborhood.

We believe there are enough apartments and condos in our neighborhood.

Please keep our thoughts in mind as you consider this proposal.

Thank you,

Melpa Roumeliotis

A handwritten signature in cursive script that reads "Melpa Roumeliotis". The signature is written in dark ink and is positioned to the right of the printed name.



CITY OF HAVERHILL  
MASSACHUSETTS 01830

PLANNING BOARD

CITY HALL, ROOM 201  
FOUR SUMMER STREET  
HAVERHILL, MASSACHUSETTS 01830  
TELEPHONE (978) 374-2330  
FAX (978) 374-2315

March 2, 2015

City Council President John A. Michitson  
& City Councilors  
City of Haverhill

RECEIVED  
2015 MAR 3 PM 3  
CITY CLERK'S OFFICE  
HAVERHILL, MA.

**RE: Special Permit for 46-50 Primrose Street; Owner/Applicant, Gary A. Caruso, Trustee of 194 Main Street Realty Trust; See Map 306, Block 78, Lot 1; Plan prepared by Merrimack Engineering Services; Planning Board Meeting Date: 2-11-15**

Members Present: Karen Peugh, Bill Evans, April DerBoghosian, Kenneth Cram, Jack Everette, Bob Driscoll, and Paul Howard,  
Members Absent: Karen Buckley and Krystine Hetel  
Also Present: William Pillsbury, Economic Development and Planning Director  
Lori A. Woodsum, Board Clerk/Office Manager

Dear City Council President Michitson & Councilors:

Attorney Michael Migliori came forward to represent owner/applicant, Gary A. Caruso the Trustee of 194 main Street Realty Trust. He informed the board members and any people in the audience that his client had received a variance from the board of Appeals last month and now were looking for a favorable recommendation from the city council regarding this special permit for 46-50 Primrose Street. The attorney asked Steve Stapinski of Merrimack Engineering to come forward to explain and present this special permit to the board members.

Steve Stapinski from Merrimack Engineering came forward to speak. He explained to the board members and any people in the audience that this special permit was in the vicinity of Primrose Street, Charles Street and Harrison Street; see Map 306, Block 78, Lot 1, and that it was located diagonally across from St. James parking lot. The units will have garages under with two on Charles Street with parking behind and two parallel spaces. He explained to the board members that they had removed one unit to provide an area for snow storage and to also allow for green space. Mr. Stapinski further informed the board members that this was a small project and that he would be happy to answer any questions that the board might have regarding this special permit.

**Special Permit 46-50 Primrose Street  
2/11/15 Planning Board Meeting**

Attorney Michael Migliori informed the board members that this was a vacant inner city lot in disrepair and people were excited about this project in the inner city neighborhood. The attorney also noted that Mr. Andrew Herlihy, from the Community Development Department, wrote a favorable letter regarding this project (See the file being held by the Board of Appeals regarding the letter in question.) It was also noted that the neighbors were in favor and that there were significant open spaces and parking facilities for the church. He felt that the Harrison Street entrance made good sense.

Attorney Migliori informed the board members that they were looking for a favorable recommendation to the city council.

Chairman Paul Howard asked if there was anyone else in the audience that wanted to speak regarding this matter. Considering that no one else came forward to speak the chairman closed the public portion of the hearing and turned it over to the planning director for his comments.

Director William Pillsbury, Jr., informed the people in the audience and the board members that this request was for a special permit and the developer's next step was to present this to the City Council at its 3/10/15 council meeting.

The director also noted that this project was in the CDBG Target Area and that the CDBG Department had spent money in the acre area. The director felt that this represented a positive step for this neighborhood and that it will support the neighborhood. Director Pillsbury supported this request for a special permit or 46-50 Primrose Street.

After board consideration, Member Bob Driscoll made a motion to forward a favorable recommendation to the City Council. Member Bill Evans seconded the motion with Members Karen Peugh, Bill Evans, April DerBoghossian, Kenneth Cram, Jack Everette, Bob Driscoll, and Paul Howard all voting in favor. Members Absent were Karen Buckley and Krystine Hetel. Motion passed.

Any city department reports are attached for your review.

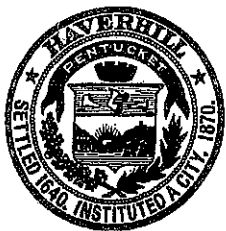
Signed,



Paul B. Howard  
Chairman



Cc: Special Permit File 46-50 Primrose Street  
City Departments  
194 Main Street Realty Trust C/O Michael Migliori, Esquire  
Merrimack Engineering Services  
City Clerk  
City Council  
Mayor James Fiorentini—Room 100



# Haverhill


Economic Development and Planning  
Conservation Department

Phone: 978-374-2334 Fax: 978-374-2366

[rmoore@cityofhaverhill.com](mailto:rmoore@cityofhaverhill.com)

[conservation@cityofhaverhill.com](mailto:conservation@cityofhaverhill.com)

MEMO TO: William Pillsbury, Economic Development and Planning Director

FROM: Robert E. Moore, Jr., Environmental Health Technician 

DATE: January 30, 2015

RE: 194 Main Street Realty Trust for 46-50 Primrose Street  
Parcel ID: 306-78-1  
Special Permit

RECEIVED  
JAN 30 2015

Econ Devlp & Planning  
& B.O.A.

The Commission reviewed the forwarded information relative to the subject application at its January 29<sup>th</sup> meeting. There do not appear to be any wetland issues associated with the applicant's proposal. Therefore, the Conservation Commission offers no objections to the proposed special permit.



James J. Fiorentini  
Mayor

Richard B. Borden  
Fire Chief

Rec'd  
1/25/15

# Haverhill Fire Department

Fire Prevention / Investigation Unit

D/C William F. Laliberty  
Lieut. Roger E. Moses  
Insp. Steven Trocki



4 Summer St, Room 113  
Tel: (978) 373-8460  
Fax: (978) 521-4441

January 21, 2015

William Pillsbury, Planning Director  
4 Summer Street, room 201  
Haverhill, MA 01830

Re: 46 - 50 Primrose Street/ 306-78-1/ Special Permit

The planning, design and construction of new buildings, renovation of existing buildings and structures to provide egress facilities, fire protection and built-in fire protection equipment shall be in accordance with 780 CMR; and any alterations, additions or changes in buildings required by the provisions of 527 CMR which in the scope of 780 CMR, 8<sup>th</sup> edition, shall be made in accordance therewith. (527 CMR 1.04(4) and 780 CMR 101.2)

Plans approved by the fire department are approved with the intent they comply in all respects to 780 CMR, 527 CMR, MGL Chapter 148 and any City of Haverhill ordinance. Any omissions or errors on the plans do not relieve the applicant of complying with applicable requirements.

I have reviewed the submitted Special Permit application for the address stated above and in the interest of public safety, have the following comments:

- This Special Permit proposal involves the constructing of five (5) condominium unit in two (2) buildings. Massachusetts State Building Codes mandate that a residential fire sprinkler to be installed in townhouses that are designed with three (3) or more attached units.
- The Massachusetts State Building Code (MSBC), 8<sup>th</sup> edition, 780 CMR R202; Definitions, define a *Townhouse* as a single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.
- MSBC, 780 CMR R313.1; *Townhouse automatic fire sprinkler systems*, states an automatic residential fire sprinkler system shall be installed in townhouses.
- MSBC, 780 R313.1.1; *Design and Installation*, states automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13, 13R or 13D, as applicable.
  - A three (3) unit townhouse building with an aggregate area less than 12,000 square feet shall be permitted to use a NFPA 13D system.

Respectfully,

William F. Laliberty  
Deputy Fire Chief



# Haverhill

Economic Development and Planning  
Phone: 978-374-2330 Fax: 978-374-2315  
wpillsbury@cityofhaverhill.com

March 6, 2015

TO: City Council President John J. Michitson and members of the Haverhill City Council

FROM: William Pillsbury, Jr. Economic Development and Planning Director

**SUBJECT: Primrose Street Special permit- 5 units**

At its meeting of February 11, 2015 the Haverhill Planning Board voted a favorable recommendation to the City Council for the proposed 5 unit multifamily special permit. The minutes of the public hearing are attached for your review.

This project had previously received approval from the zoning board of appeals.

The role of the Board was to conduct a public hearing to make a recommendation to the city council relative to the special permit. The proposed project represents a proposal for 5 units of multifamily homes on Primrose Street.

The city departments have reviewed the project and their reports are contained in your packages. The project if approved for a special permit by the city council must then be filed for a full definitive plan with the planning board at which time the detailed design will be presented pursuant to the city of Haverhill subdivision regulations.

Specifically, I recommend that the Council as part of its approval of a special permit include as conditions the comments from the letters of the City departments; any additional comments/ conditions deemed necessary by the city council; and an umbrella condition that the project comply with all the requirements of zoning code 255-94.

Each of the above specific items if adopted as conditions will be required to be incorporated into and complied with in the definitive plan filing.



28

As Planning Director, I believe this project is in the best interest of the City of Haverhill in that it provides needed infill housing in the inner city area without the requirement to add additional utilities to service the project.

Specifically, pursuant to zoning ordinance Ch. 255-80 (as applicable) the following findings must be made by the City Council relative to the project:

the request meets all pertinent conditions listed in article XI of the ordinance;  
the request is desirable to the public convenience or welfare;

the request will not impair the integrity or character of the district or adjoining zones nor be detrimental to the health, morals or welfare and will be in conformity with the goals and policies of the master plan;

The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets;

The requested use provides for adequate methods of disposal for sewage refuse and other wastes and adequate methods for storm water and drainage;

The requested use provides for adequate off street loading and unloading of service vehicles;

The requested use preserves historical buildings and uses.

**Proposed conditions and stipulations:**

I offer the following recommended conditions be made part of the special permit approval:

Require that the developer comply with all of the additional requirements of the City's subdivision regulations for water and sewer and drainage improvements as contained within those regulations and further detailed in the above listed and attached letters from the departments. These items shall be reflected in the definitive plan to be filed with the Planning board.

**Recommendation**

As Planning Director, I concur with the favorable recommendation based on an assumption that all items in the letters from the City Departments along with all requirements for special permits would be made part of the special permit for the project.

This project with the incorporation of the recommended conditions is generally in conformity with the City's master plan as well as providing sufficiently for traffic, public safety and other utility considerations. The project as proposed appears to conform to all other special permit requirements. On the basis of adopting the proposed conditions/stipulations, I recommend that the council act favorably on this project.

10-K  
CITY COUNCIL

JOHN A. MIGHTSON  
PRESIDENT  
ROBERT H. SCATAMACCHIA  
VICE PRESIDENT  
MELINDA E. BARRETT  
WILLIAM J. MACEK  
WILLIAM H. RYAN  
THOMAS J. SULLIVAN  
MARY ELLEN DALY O'BRIEN  
MICHAEL S. MCGONAGLE  
COLIN F. LEPAGE




17.1  
CITY HALL, ROOM 204  
4 SUMMER STREET  
TELEPHONE: 978 374-2328  
FACSIMILE: 978 374-2329  
www.ci.haverhill.ma.us  
cityclerk@cityofhaverhill.com

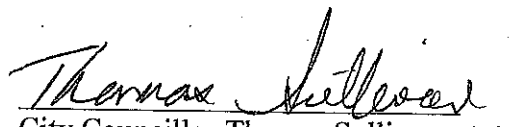
CITY OF HAVERHILL  
HAVERHILL, MASSACHUSETTS 01830-5843

February 19, 2015

TO: Mr. President and Members of the City Council:

Councillors LePage and Sullivan request a discussion regarding the Cogswell School RFP.

  
City Councillor Colin LePage

  
City Councillor Thomas Sullivan

IN CITY COUNCIL: February 24 2015  
POSTPONED TO MARCH 3 2015

Attest:

\_\_\_\_\_  
City Clerk

IN CITY COUNCIL: March 3 2015  
POSTPONED TO MARCH 10 2015

Attest:

\_\_\_\_\_  
City Clerk



DOCUMENT 31

17.2

# CITY OF HAVERHILL

In Municipal Council February 24 2015

~~SECRET~~

## MUNICIPAL ORDINANCE

## CHAPTER 191

### AN ORDINANCE RELATING TO PEDDLING AND SOLICITING

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 191, Article IV, as amended, be and hereby is further amended as follows:

#### ARTICLE IV

#### Peddlers and Hawkers, Transient Vendors and Fixed Location Vendors

##### 191-8 Definitions.

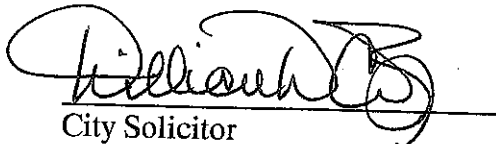
By adding the word "not" after the words "This shall" in the last sentence at the end of the paragraph entitled "HAWKER or PEDDLER".

##### 191-9 Licenses.

By deleting the words and figures in section J., and, by adding the following in place thereof:

- "J. Any person, firm or corporation engaging in the business of a door to door sales for future delivery shall comply with all provisions of M.G.L. c. 101, §34. The Chief of Police shall be the designated official for the registration required by M.G.L. c. 101, §34. A registration fee of \$100.00 shall be paid to the Police Department for each person so registered."

APPROVED AS TO LEGALITY

  
City Solicitor

PLACED ON FILE FOR AT LEAST 10 DAYS  
Attest:


\_\_\_\_\_  
City Clerk

**CITY OF HAVERHILL**  
**MASSACHUSETTS**  
**CITY SOLICITOR'S OFFICE**  
145 South Main Street  
Bradford, MA 01835  
(978) 891-5424  
EMAIL: billcoxlaw@aol.com

**WILLIAM D. COX, JR.**  
**CITY SOLICITOR**

February 7, 2015

TO: City Councillor Colin F. LePage,  
Chairperson, Administration and Finance Committee

FROM: William D. Cox, Jr., Esq.   
City Solicitor

RE: Ordinance relating to Peddling and Soliciting/Door to Door Sales

Enclosed please find an amendment to the current ordinance I was requested to prepare as a result of an Administration and Finance Committee meeting on February 7, 2015 relative to Chapter 191 of the City Code concerning door to door sales. The ordinance deletes the current language requiring a permit from the City Council and allows the Police Chief to issue permits consistent with M.G.L. c. 101, §34. As requested I asked the Chief to recommend a current permit fee. He reviewed other communities and found that they are charging a fee of \$100, which I also incorporated in the ordinance.

For your reference, attached is a copy of the current ordinance. Should you have any questions or concerns, please feel free to call upon me.

cc: Mayor James J. Fiorentini

City of Haverhill, MA  
Saturday, February 7, 2015

## Chapter 191. Peddling and Soliciting

### Article IV. Peddlers and Hawkers, Transient Vendors and Fixed Location Vendors

[Adopted 12-1-1981 by Doc. 212 (Ch. 191, Art. IV, of the 1980 Code)]

[1]: *Editor's Note: The title of this article was changed from "Transient Vendors and Peddlers and Hawkers of Seasonal Products" to "Peddlers and Hawkers, Transient Vendors and Fixed Location Vendors" 4-24-2012 by Doc. 51.*

#### § 191-8. Definitions.

[Amended 11-9-1982 by Doc. 193; 12-7-2004 by Doc. 155]

The following words shall for the purposes of this article have the following meanings, unless the context requires otherwise:

##### **FIXED LOCATION VENDOR**

Any person who, for himself or for another person, engages in the sale of goods, wares, merchandise, food or beverages at a fixed location which is carried on in any fixed or mobile cart, wagon or tables.

[Amended 10-5-2010 by Doc. 104]

##### **HAWKER or PEDDLER**

Any person who, for himself or for another person, travels by foot, automobile or any other type of conveyance from place to place, from house to house, or from street to street, taking or attempting to lease or take orders for retail sale of goods, wares, merchandise, or services. This shall include persons engaged in door-to-door sale for future delivery as defined by MGL c. 101, § 34.

[Amended 3-21-2006 by Doc. 39]

##### **SEASONAL PRODUCTS**

Christmas trees, wreaths, baskets, blooming plants and cut flowers.

##### **TRANSIENT VENDOR**

Any person who, for himself or for another person, who engages in a temporary or transient business in the commonwealth selling goods, wares or merchandise, either in one locality or in traveling from place to place. Temporary or transient business shall mean any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least 12 consecutive months.

#### § 191-9. Licenses.

[Amended 11-9-1982 by Doc. 193; 11-14-1989 by Doc. 193-B; 7-13-1993 by Doc. 87; 6-28-1994 by Doc. 99; 2-4-1997 by Doc. 23; 4-20-1999 by Doc. 64; 7-23-2002 by Doc. 116; 6-8-2004 by Doc. 84; 12-7-2004 by Doc. 155]  
It shall be unlawful for any person, firm or corporation to engage in the business of hawker/peddler without first having secured a state license or a license from the City. It shall be unlawful for any person, firm or corporation to engage in the business of transient vendor without first having secured a state license and a license from the City. It shall be unlawful for any person, firm or corporation to engage in the business of fixed location vendor without first having secured a license from the City.

- A. Application. Applications for permission to use City property or to sell on City streets, sidewalks, public ways or in any public space shall be made to the City Clerk and shall be subject to the approval of the City Council. Applications shall state thereon the kind of merchandise to be sold, the proposed location of the business, the dates and times of operation and the permanent address and telephone number of the vendor.
- B. Fee. The fee for a hawker/peddler license shall be \$62, unless the applicant has a state license in which case there shall be no fee. The fee for a transient vendor or a fixed location vendor shall be \$100 for a period of less than 30 days or \$300 for a period exceeding 30 days.
- C. Prior approvals. Before such a permit is issued, approval shall be obtained from the Chief of Police (registration and traffic safety, etc.); Building Inspector (signs, zoning, regulations, etc.); Wiring Inspector (lights, etc.); Recreation Director (use of Riverside Park and area in front of or on the side of Haverhill Stadium); Fire Inspector; and Health Department (food or beverage sales).
- D. Hours of operation. No sales activity shall be allowed before 9:00 a.m. and after 9:00 p.m. without the prior permission of the City Council.
- E. The sale of silly string or similar type goods or snap caps and stink bombs or similar explosives or any facsimile cigarettes during a parade or public event in the City of Haverhill is prohibited.
- F. A permit to sell may only be used by the person whose name appears on the City license, unless an employee is working under a licensed vendor and obtains a separate employee license. The fee for such an employee license shall be \$25, and the employee license shall run with the term of the licensed vendor.  
[Amended 10-5-2010 by Doc. 104]
- G. No transient vendor or fixed location vendor license shall be issued without the applicant indemnifying the City of Haverhill from any and all claims arising out of the maintenance of such a location and by placing on file a sidewalk obstruction bond in the amount of \$5,000 as set forth in § **222-46** of this Code.
- H. All permits issued under this section may be effective for up to one year, commencing on January 1 and with an expiration date of December 31 of the year in which the permit is granted. Any license which is not renewed for the upcoming year by December 1 of the prior year may be subject to reassignment in accordance with the provisions of § **191-11B**.  
[Amended 10-5-2010 by Doc. 104]
- I. Any person, firm or corporation engaging in the business of hawker/peddler within the City of Haverhill who is operating on the basis of a state license solely shall register with the Chief of Police at least 24 hours prior to conducting business and shall provide the kind of merchandise to be sold, the proposed areas and locations in which they will engage in their business, the dates and times of operation, the permanent address and telephone number of the vendor, and a copy of a valid state hawker/peddler license.
- J. Any person, firm or corporation engaging in the business of a door-to-door sales, whether taking or attempting to lease or take orders for retail sale of goods, wares, merchandise, or services, and including orders for future delivery, is required to register with the Chief of Police, provide positive

identification, complete an application signed by the applicant, be photographed, and sign a photograph identification badge. Any person, firm or corporation taking orders for future delivery shall also provide written daily notice as required by MGL c. 101, § 34. Notwithstanding any other provisions of this section, permitted hours of activity are limited from 9:00 a.m. to 6:00 p.m. All persons engaged in the business of door-to-door sales must conspicuously wear on outer garments the photograph identification badge provided by the Police Department. A registration fee of \$50 shall be paid to the Police Department for each person so registered. All persons, firms or corporations registered with the Police Department must comply at all times with the provisions of MGL c. 101, § 34, and this chapter. The penalty for any violation of MGL c. 101, § 34, and/or this chapter may include the revocation of certification by the Police Department, along with other penalties as provided for by law. These provisions shall not apply to any person who goes door to door on behalf of any group organized for any political purpose, the sale or delivery of newspapers or any corporation organized for charitable purposes, such as schools, religious organizations or the Boy/Girl Scouts.  
[Added 3-21-2006 by Doc. 39; amended 4-24-2012 by Doc. 51]

## § 191-10. Seasonal products; fee.

[Added 7-13-1993 by Doc. 87; 4-20-1999 by Doc. 64; 4-8-2003 by Doc. 58; 6-8-2004 by Doc. 84; 12-7-2004 by Doc. 155]

It shall be unlawful for any person, firm or corporation to engage in the business of transient vendor or fixed location vendor for the sale of seasonal products without first having secured a City license pursuant to the requirements of § 191-9. The fee for a license to sell seasonal products shall be \$200.

## § 191-11. Permitted fixed locations; exceptions.

[Added 7-13-1993 by Doc. 87; amended 5-16-1995 by Doc. 88; 4-20-1999 by Doc. 64; 11-9-2004 by Doc. 146; 12-7-2004 by Doc. 155]

- A. Permitted locations. Selling within the City of Haverhill of products licensed under § 191-9 by fixed-location vendors shall only be permitted within the boundaries of these areas:  
[Amended 10-5-2010 by Doc. 104; 3-22-2011 by Doc. 29]

- (1) Winnekenni area, Route 110: one vendor.
- (2) Bradford Common: one vendor.\*
- (3) Riverside Park: one vendor.
- (4) Washington Square: one vendor.
- (5) GAR Park: one vendor.
- (6) Swasey Park: one vendor.
- (7) Outside Haverhill Stadium at Lincoln and Nettleton Avenues: one vendor.
- (8) Other areas as approved by the City Council.

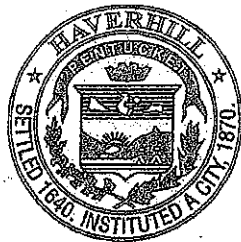
\* An enclosed cart 8.5 x 12 feet, excluding hitch, is allowed at the Bradford site only. Any party desiring a similar type of cart at any other location must petition the City Council for permission

- B. Vacated locations. Persons who wish to be considered for a permit for one of the above locations, when vacated, may notify the City Clerk, who shall maintain a waiting list, including the person's name, address and a date of receipt. Interested parties shall be notified when a location is vacated and shall



CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT  
ROBERT H. SCATAMACCHIA  
VICE PRESIDENT  
MELINDA E. BARRETT  
WILLIAM J. MACEK  
WILLIAM H. RYAN  
THOMAS J. SULLIVAN  
MARY ELLEN DALY O'BRIEN  
MICHAEL S. MCGONAGLE  
COLIN F. LEPAGE



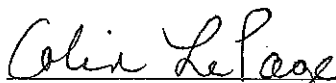
CITY OF HAVERHILL  
HAVERHILL, MASSACHUSETTS 01830-5843

22.1  
CITY HALL, ROOM 204  
4 SUMMER STREET  
TELEPHONE: 978 374-2328  
FACSIMILE: 978 374-2329  
www.ci.haverhill.ma.us  
citycnd@cityofhaverhill.com

March 6, 2015

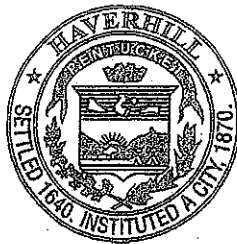
TO: Mr. President and Member of the City Council:

Councillor Colin LePage submits the attached minutes and recommendations of the Administration and Finance Committee meeting held on March 5, 2015.

  
City Councillor Colin F. LePage

## CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT  
ROBERT H. SCATAMACCHIA  
VICE PRESIDENT  
MELINDA E. BARRETT  
WILLIAM J. MACEK  
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4 SUMMER STREET  
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www.ci.haverhill.ma.us  
citycncl@cityofhaverhill.com

### CITY OF HAVERHILL HAVERHILL, MASSACHUSETTS 01830-5843 MINUTES OF THE ADMINISTRATION AND FINANCE COMMITTEE MEETING HELD ON MARCH 5, 2015

An Administration and Finance Committee Meeting was held on Thursday, March 5, 2015 at 7:00P.M. in the City Council office, Room 204.

Committee Members present: Committee Chairperson Colin LePage, Councillor William Macek, Councillor Mary Ellen Daly O'Brien and Councillor Michael McGonagle. Councillor Melinda Barrett also attended.

Department Heads: William Cox-City Solicitor, Linda Koutoulas-City Clerk

Attendees: Mary O'Neil, Jay Lafond, Ellen Roche, John Roche, Bob Roche, Brian Milewski, Diane Milewski, Michael Chesny, Tim Coco, Stanly Colten, Paul Magliocchetti

The following items were discussed:

- 1.) **Doc. 90** – Ordinance relating to Peddling and Soliciting, Section 191-9 Licensees, add at end of subsection A: permitted to locations: "Food Trucks of any size may be allowed at all permitted fixed locations with approval from City Council" – *The Committee received a definition of a Food Truck (no larger than 8' x 30') along with a copy of the City of Boston Food Truck regulations from Solicitor Cox as previously requested\*. The Committee also reviewed the currently listed seven (7) fixed locations and potential additional locations, along with the City Department comments of such and determined that not all locations would be appropriate for Food Trucks due to their dimensions. A motion was made to table the matter to the next scheduled meeting (date to be determined) allowing time to further study and review new materials (ordinances) from other communities and for the Committee to conduct site visits of the potential locations. Passed unanimously.*
- 2.) **Doc. 102/2014** – Communication from Councillor Macek requesting to discuss the Taxicab and Buses ordinance – *The Committee conducted a thorough review of the existing ordinance along with proposed amendments as offered by Councillor Macek (see attached\*). A motion was made to accept the amendments and request Solicitor Cox to prepare the ordinance for further review and comment from the Mayor and Police Chief. Passed unanimously.*
- 3.) **Doc. 10B** – Communication from Councillor Barrett requesting to discuss lack of City representation on HC Media Board of Directors – *The Committee, and the public attendees were informed that the HCTV Executive Director and their Board representatives would not be able to attend nor provide copies of their By-Laws and Minutes of Board meetings at this evenings meeting, but request to meet at a future date. HCTV Board member Colten provided a copy of the HCTV By-Laws (revised 3/2005) to the Committee. There was a lengthy discussion regarding the current number and tenure of Directors amendment to the HCTV By-Laws, "consisting of not more than eleven (11) persons" and the prior number of stipulated Directors, "Seven (7) Directors shall be at large and four (4) Directors shall be representatives of the following organizations given that a suitable recommendation is presented to the nominating committee:*

- (a) Mayor, City of Haverhill
- (b) Haverhill Public Library
- (c) Haverhill School Department
- (d) Northern Essex Community College

*A motion was made to table the matter to the next scheduled meeting (date to be determined) to allow for the receipt of the materials previously requested (HCTV By-Laws and Minutes; Administration and Finance Committee letter dated February 20, 2015) and for attendance by the HCTV Executive Director and Board Member representation. Passed unanimously.*

- 4.) **New Business** – City Clerk Koutoulas requested a review of the Dog Licensing ordinance at a future meeting

Respectfully submitted,



Colin LePage, Chairperson  
Administration and Finance Committee  
Haverhill City Council

March 6, 2015

CL/bsa  
c: Mayor James J. Fiorentini  
City Council

- \*Handout from Solicitor Cox, City of Boston Guide to Food Truck Permitting
- \*Handout from Councillor Macek, Amendments to Haverhill Code, Chapter 230: Taxicabs and Buses
- \*Handout from Stan Colten, By-Laws of Haverhill Community Television Corporation, Revised 3/2005

## Guide to Food Truck Permitting

Prepared by the Harvard Food Law and Policy Clinic.

### What is a food truck?

- A walk-on vehicle where food is cooked, prepared, and served in individual portions.
- No larger than 30 feet x 8 feet (for public site vending)

### Do you have a food truck?

#### Yes

Get more information on the City of Boston's permitting and licensing process.

Proceed to next step


#### No

For more information and advice on starting a food truck, check out these outside resources.

Boston Food Truck Alliance

Boston Food Truck Blog

Mobile Cuisine

Food Trucks 101 

## Guide to Food Truck Permitting


### What do I need from the City to run a Food Truck?

You need a **food truck permit (FTP)** and **site approval**.

Food Truck Permit (You will need all of the following):
<b>Health Permit</b> Health Permit # Signature of Health Inspector on FTP Application
<b>Fire Permit</b> Opening Burning/Cooking Permit (if necessary) Signature of Fire Inspector on FTP Application
<b>Hawker/Peddler License</b>
<b>Business Certificate</b>
<b>GPS</b> Trimble GPS Contract

Site Approval
<b>Public Site</b> If you want to vend on public property, first check the Public Sites Schedule. This lists the <b>ONLY</b> public sites where food trucks are allowed to vend. It also displays open vending slots. Public Site Schedule
<b>Private Site</b> In order to vend on private property, you must apply for a use of premise permit and submit it to the Inspectional Services Department (ISD). Use of Premise Permit Info
<b>Special Site</b> Many special sites are excellent vending locations (such as the Rose Kennedy Greenway). These sites have their own application processes.

### Submit Your Completed Application for Review

Once you have **ALL** the above materials, you must submit them along with a completed Food Truck Permit Application  to:

Public Works  
 Room 714  
 Boston City Hall

You can also fax the documents to 617-635-7499.

Cost: \$500 (Annual Fee)

## Public Site Licenses

The City of Boston has designated 18 locations on public property as public sites. These 18 sites are the only locations on public property where vendors may vend. Many of these are "cluster sites", with more than one food truck operating during each meal time.

[View List of Public Vending Sites](#)

To vend on a public site, you must acquire a **site license**. All site licenses last for three months. The process by which you may acquire a slot that is occupied by another vendor depends on the type of site.

### Prime Sites

You must apply for prime site slots in the **mid-January annual prime site lottery**. All new sites are prime sites for their first year. Occupants of prime sites may only renew their site licenses until the next prime site lottery. If an occupant releases their permit before the next prime site lottery, a mini lottery is held. The mini lottery takes place as needed and eligible vendors are notified. To participate in the lottery, you must plan to have a fully permitted and licensed truck ready by April 1st of the same year. Apply for the lottery at Boston City Hall, Room 603.

### Non-Prime Sites

If you want an occupied slot on a non-prime site, you must wait for the current occupant of the slot to give up the slot. The occupant of a non-prime site may renew his or her site license as many times as she wishes. Open non-prime sites are distributed on a first-come, first-served basis.

### Site Costs



Vendors must pay the total cost of the license at the beginning of the three month license period. For example, a vendor who will operate during the breakfast slot Monday to Friday on a Tier One site must pay \$812.50 to get a three-month site license.

Site Costs per slot per day by meal

Sites	Breakfast (6:00-10:00AM)	Lunch (10:00AM-3:00PM)	Dinner (3:00-9:00/11:00PM)
City Hall Plaza	\$50.00/slot/day	\$50.00/slot/day	XXX
Tier One	\$12.50/slot/day	\$25.00/slot/day	\$12.50/slot/day
Tier Two	\$8.25/slot/day	\$16.50/slot/day	\$8.25/slot/day
Tier Three	\$4.25/slot/day	\$8.50/slot/day	\$4.25/slot/day




### Apply to vend at an existing public site in an open time

Submit a Food Truck Site License Application to Public Works, Permitting Office, Boston City Hall, Room 715. Include the following documents:

1. Completed first page of Food Truck Permit Application 
2. Completed Pre-Approved Site Locations Worksheet 
3. Business Plan: A short description of your business, including:
  - Concept and sample menu (with at least one healthy option)
  - Statement on uniqueness of your product
  - Commitment to the Rethink Your Drink campaign
  - Agreement not to compete with businesses within 100 feet of the site
  - Operations: timing (arrival, set up, business hours, departure), staffing, customer queuing, trash/area -cleaning, staff restroom, strategy to keep 20 feet in front of and behind your vehicle clear of other vehicles
4. Proof of Commissary Kitchen (e.g. lease agreement)
5. Statement on Community Engagement
6. Statement on Environmental Sustainability

### Proposing a new public site

Submit a Food Truck Proposed Site Application to Public Works, Permitting Office, Boston City Hall, Room 715. Include the following documents:

1. Completed first page of Food Truck Permit Application 
2. Completed Food Truck Proposed Site Worksheet  and a Food Truck Site Evaluation Form 
3. Business Plan
4. Proof of Commissary Kitchen (e.g. lease agreement)
5. Statement on Community Engagement
6. Statement on Environmental Sustainability
7. Google Map printout indicating parking location
8. 360 degree photos of the proposed site

Note: If your proposed public site is approved, you are not guaranteed that spot. The site will be put into the lottery.

**If your public site application is approved (for either an existing or new public site)**

1. Provide a certificate of insurance listing each approved location and including "City of Boston" as additionally insured for \$2,000,000 for each event triggering coverage
2. Provide proof that a registered letter was sent to the building management/property owners within 100 feet of each approved site to notify those businesses of the approval to vend
3. Provide proof that a registered letter was sent to the business owner(s) fronting the approved site  
Contact other businesses and residences in the area to let them know about the new food truck (flyering)

Submit all documents to Boston City Hall, Room 603.

Ten days after mailing the registered letters, call Public Works. If Public Works has not received any complaints, give a check to Public Works to pay for your slots for the next three months and you will receive your public site license

## Private Site License

### Vending on a private site

If you will vend on a private site, you must submit the following documents to Public Works, Permitting Office, Boston City Hall, Room 714.

1. Completed Food Truck Permit Application ☒
2. A copy of the lease and/or letter of agreement from the property owner
3. A photo of the site
4. A scaled drawing of the site, noting truck location and service plan

A copy of the Use of Premise permit.

- Most private property in Boston will require a conditional use permit in order to host a Food Truck.

- In order to obtain a conditional use permit, fill out the Use of Premise permit application and submit it electronically or to the Inspectional Services Department (ISD) at 1010 Massachusetts Ave.

- ISD will review your Use of Premise Permit Application and approve or deny it.

- If ISD denies the Use of Premise permit application you may appeal that decision to the Zoning Board of Appeals by filing an Appeal Application with ISD at 1010 Massachusetts Avenue (filing instructions).

Application to Appeal ☒

Filing Instructions ☒

Cost of Appeal: \$150

The vendor must attend a hearing and tell the Board why the vendor should be permitted to operate in the vendor's chosen location. The Board will assess the appeal under Article 6 of the Boston Zoning Code, based on the appropriateness of the location for food truck vending and the chance of adverse effect, hazard, or nuisance.

If the Board approves the location for food truck vending, the ISD will issue a Use of Premise permit to the vendor.



## Special Site Licenses


### Vending on a special site

Review the list of special sites and the application rules for each one (some special sites require vendors to complete the public site application process).

Special sites include property owned by:

- The Rose Fitzgerald Kennedy Greenway Conservancy,
- The Boys and Girls Club of Boston,
- The MBTA,
- The BRA/EDIC, and others.

If you are approved for a special site, you must then submit the following to Public Works:

1. A copy of the lease and/or letter of agreement from the property owner
2. Completed Food Truck Permit Application 

Send Special Site Permit applications to:

Permitting Office  
Public Works, Room 714  
Boston City Hall

BY-LAWS  
OF  
HAVERHILL COMMUNITY TELEVISION CORPORATION  
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- 1.2    Purpose
- 1.3    Location
- 1.4    Fiscal Year
- 1.5    Powers
- 1.6    Construction

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- 2.3    Annual Meeting of Members
- 2.4    Special Meetings of the Members
- 2.5    Call and Notice
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BY-LAWS  
OF

HAVERHILL COMMUNITY TELEVISION CORPORATION

Revised 3/2005

Article I - NAME, PURPOSE, AND RELATED MATTERS

- 1.1 Name. The name of the corporation shall be Haverhill Community Television Corporation, hereinafter referred to as the "Corporation."
- 1.2 Purpose. The purpose of the Corporation shall be exclusively charitable, scientific, and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 and as a non-profit educational institution within the meaning of MGL Chapter 40A of 1975 as amended from time to time.
- 1.3 Location. The principal office of the Corporation in the Commonwealth of Massachusetts shall be at 60 Elm Street, Haverhill, MA 01830. The Board of Directors may change the location of the principal office in the Commonwealth of Massachusetts by filing an appropriate certificate with the Secretary of State of the Commonwealth of Massachusetts, and the Board of Directors may designate additional offices in the Commonwealth of Massachusetts and elsewhere.
- 1.4 Fiscal Year. The fiscal year of the Corporation is April 1 to March 31 in each calendar year unless and until otherwise determined by the Board of Directors.
- 1.5 Powers. The powers of the Corporation and of its Board of Directors, Officers, Committees and Members, and all matters concerning the conduct and regulation of the affairs of the Corporation and the manner in which the Officers and Agents by whom its purposes may be accomplished, shall be governed by the provisions of the Articles of Organization and these By-Laws.
- 1.6 Construction. All references in these By-Laws to the Articles of Organization shall be construed to mean the Articles of Organization as from time to time amended.

## Article II – THE MEMBERS

2.1 Eligibility for Membership in the Corporation. Individuals and organizations that subscribe to the purposes of the Corporation shall be eligible for membership. Individuals must either reside in Haverhill or be an employee of a business or government agency with an office in Haverhill, a member of an organization that serves or is located in Haverhill, or a student of an educational institution that provides instruction in Haverhill. Examples of eligible organizations include, but are not limited to, educational, governmental, health care, arts, religious, and neighborhood associations.

Minimum age for membership is twelve (12). Minors may use the Corporation's facilities when an adult resident assumes legal responsibility by making all necessary applications.

2.2 Qualifications for Voting membership Voting Membership in the Corporation is open to individuals either residing in Haverhill or who work in organizations that have a place of business in Haverhill and who demonstrate their interest in the affairs of the Corporation by completing and returning to the Corporation an Individual Membership Enrollment Form and in the case of an organization, an Organizational Membership Enrollment Form at least ninety (90) days prior to any meeting of the Members.

Each Member Organization shall be entitled to one vote and the Corporation shall file the name and address of its Delegate with the Clerk/Secretary of the Corporation at least ten (10) days before any meeting; otherwise, such Member Organization shall not be entitled to vote at that meeting. The name of a Delegate may be transmitted by a letter signed by an Officer of the Member Organization. A Delegate Listing, once filed by an Member Organization, shall remain effective until withdrawn in writing by a duly authorized Officer of such organization.

Both Individual and Organizational Members may be required to pay prescribed membership dues as they are from time to time established by the Board of Directors

2.3 Annual Meeting of Members. The annual meeting of corporate members shall be held each year at a time and place determined by the Board of Directors.

2.4 Special Meetings of the Members. Special Meetings of the Members may be held at any time and at any place. Special Meetings of the Members may be called by the Board of Directors.

2.5 Call and Notice.

(a) Annual Meetings. No call or notice shall be required for the Annual Meeting of Members except if the established time or place has been changed or as otherwise required by law, Articles or Organization, or these By-Laws.

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(b) Special Meetings. Reasonable notice of the time and place of Special Meetings of the Members shall be given to each Member. Such notice need not specify the purpose of a Special Meeting, unless otherwise required by law, the Articles of Organization, or these By-Laws.

(c) Reasonable and Sufficient Notice: Mail, electronic mail, or fax sent at least seventy two (72) hours before a meeting, addressed to each Member at the Member's usual or last known home, business, or e-mail address shall constitute reasonable and sufficient notice.

2.6 Quorum of Members. Ten percent (10%) of the Members entitled to vote, present in person, shall constitute a quorum at any Annual or Special Meeting of the Members. Any meeting may be adjourned by a majority of the votes present, whether or not a quorum is present, and such meeting may be considered to be adjourned without further notice to the Members.

2.7 Action by Vote. Each Member shall have one vote. When a quorum is present, a majority of the votes properly cast by Members present or by properly executed absentee ballot shall decide any question, unless otherwise provided by law, the Articles of Organization, or these By-Laws.

2.8. Absentee Ballot. Any action required or permitted to be taken at any Meeting of the Members may be taken without a Meeting if a majority of the Members entitled to vote on the matter consent to the action in writing and the written consents are filed with the records of the Meetings of the Members. Such consents shall be treated for all purposes as a vote at a Meeting.

2.9 Compensation. Members shall not be entitled to receive compensation for their services as such; however, Members shall not be precluded from serving the Corporation in any capacity allowed by these By-Laws.

2.10 Public Forum. All Annual meetings of the Members of the Corporation shall be open in their entirety to the public. During Special Meetings, a majority of the Board of Directors may limit access by the public if, in their sole discretion, it would be in the best interest of the Corporation to close either a section of or the entire meeting. This right, however, only applies to Special Meetings.

2.11 Voting. Members shall be entitled to vote on all matters submitted to them for approval by the Board of Directors at Meetings of the Members.

The Members shall retain all voting rights associated with the election of the Board of Directors as set forth in Article III below.

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2.12 Membership Dues. The Board of Directors may, from time to time, adopt a schedule of annual dues. Dues shall be maintained at a level reasonably intended to cover the direct costs of:


- (a) maintaining the membership rolls;
- (b) providing for Membership participation in corporate governance; and
- (c) communicating the Corporation's activities to the Membership, including the use of printed materials such as a newsletter or program guide.

The Board may, in addition prescribe a dues schedule based on the revenue of Organizational Members or income of Individual Members.

### ARTICLE III - BOARD OF DIRECTORS

3.1 Powers. The directors shall manage the affairs of the corporation and shall have and may exercise all powers except those reserved to Members by law or these By-Laws.

3.2 Number and Tenure of Directors. The governing body of the Corporation shall be a Board of Directors consisting of not more than eleven (11) persons. All candidates shall be nominated by the nominating committee and presented to the membership for an affirming vote.

 The term of office for each Director shall be three (3) years. All Directors shall hold office until their successors are elected unless removed or resign prior to taking office in accordance with law, the Articles of Organization, and these By-Laws.

3.3 Nomination and Election Process of Directors. Directors shall be selected for nomination to the Board in the following manner:

A Nominating Committee shall consist of at least three, but not more than five persons. The Nominating Committee shall include the following: 1) Board member not under consideration for election; 2) HCTV member in good standing; 3) community member and appointed by the President at least three months prior to the Annual Meeting of Members.

Nominees for seats on the Board of Directors shall be Basic or Associate Members of the Corporation whose application for nomination is made no later than thirty (30) days prior to the date of the Annual or Special Meeting.

The Nominating Committee shall review applications for nomination and present an acceptable slate of nominees to fill the vacancies on the Board of Directors to the members for election at the Annual Meeting of Members. Nominated candidates shall be elected to the Board by simple majority of affirmative votes.

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3.4 Removal A Director may be removed with cause by a two-thirds majority vote of the Board of Directors then in office. A Director may be removed only after reasonable notice and opportunity to be heard.

In the event that a Director fails to attend three (3) or more scheduled meetings in a fiscal year, the Board may replace that Director in accordance with Section 3.4 of these By-Laws.

3.5 Resignation Directors may resign by delivering their written resignations to the President or Clerk/Secretary of the Corporation. Such resignation shall be effective upon receipt (unless specified to be effective at some other time) and acceptance thereof shall not be necessary to make it effective unless it so states.

3.6 Vacancies Any vacancy of a Director shall be filled by a majority vote of the remaining Directors. Directors elected in this manner shall hold office for the un-expired term of their predecessors.

3.7 Schedule of Meetings. The Board of Directors shall hold no less than six (6) regular meetings during each fiscal year of the Corporation.

3.8 Special Meetings. Special Meetings of the Board of Directors may be held at any time and at any place when called by the President or by no less than one-third (1/3) of the Board of Directors.

3.9 Call and Notice

(a) Regular Meetings: The time and place for regular meetings shall be determined by the Directors at their first meeting following the annual meeting, may only be changed by majority vote of Directors present at a scheduled meeting, or by special meeting called for that purpose, and shall include notice to absent members as described above in section 2.6 (b).

(b) Special Meetings: Special meetings of the Directors may be called by the President, Vice-President or by the written request of one-third of the Directors, and shall include notice to all Directors. Notice shall include time, place and purpose of the special meeting. Only matters specified in the notice may be considered at the special meeting.

X (c) Reasonable and Sufficient Notice for Special Meetings: Mail, electronic mail, or fax sent at least seventy two (72) hours before a meeting, addressed to each Director at the Director's usual or last known home, business, or e-mail address shall constitute reasonable and sufficient notice.



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(d) Waiver of Notice: Whenever any written notice is required by these by-laws, a waiver of notice signed either before or after the action for which notice is required shall have the effect of written notice.

3.10 Quorum At any Meeting of the Directors a simple majority constitutes a quorum.

3.11 Public Access: All meetings of the Board of Directors shall be open to Members, unless the Board, in its sole discretion, shall determine to close the meeting.

3.12 Action by Vote. When a quorum is present at any Meeting, a majority of the Directors present and voting shall decide any question, including election of Officers, unless otherwise provided by law, the Articles of Organization, or these By-Laws.

3.13 Action by Conference Telephone. The Board of Directors, or any Committee designated by them, may participate in a Meeting by means of a conference telephone or similar communication equipment by which all participants can hear each other at the same time. Participation by such means shall constitute presence at a Meeting.

3.14 Absentee Ballot. Any action required to be taken at any Meeting of the Board of Directors may be taken without a Meeting if all of the Directors consent to the action in writing and the written consents are filed with records of the Meeting of the Directors. Such consents shall be treated for all purposes as a vote at a Meeting.

3.15 Compensation of Directors: Directors shall not be compensated for their services as Directors other than reimbursement of reasonable and necessary expenses incurred in the performance of such services; however, nothing herein shall preclude any Director from serving the Corporation in any other capacity as long as compensation is not received.

#### ARTICLE IV – OFFICERS

4.1 Number and Qualification: The Officers of the Corporation shall be a President, Vice-President, Treasurer, Clerk/Secretary, and such other Officers, if any, as the Board of Directors may from time to time determine. Only current Directors of the Corporation may serve as Officers.

The Clerk/Secretary shall be a resident of Massachusetts unless the Directors appoint a Resident Agent for the purpose of service of process.

A Director may be elected to more than one office at a time, except that no person may be both President and Clerk/Secretary.

4.2 Election of the President, Vice-President, Treasurer, Clerk/Secretary, and other Officers: These Officers shall be elected annually by the Directors at their first meeting

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following the Annual Meeting of the Members. Other Officers, if any, may be elected by the Directors at any time.

**4.3 Term of Office.** The President, Vice President, Clerk/Secretary, and Treasurer shall be elected by the Board of Directors at the first meeting following the Annual Meeting and hold office through the first meeting following next Annual Meeting. A Director elected as Officer to fill the term of another Officer who has resigned or been removed shall also hold office through the first meeting following the next Annual Meeting.

**4.4 Order of Succession:** In the event the President fails to be re-elected to the Board of Directors, the next highest ranking Officer shall assume the Office of President until the first meeting following the Annual Meeting. The order of succession is President, Vice-President, Clerk/Secretary, and Treasurer.

**4.5 Duties of Officers**

**4.5a The President** shall, when present, be the Presiding Officer at all meetings of the Members or the Directors. The President, subject to the direction of the Directors, shall have responsibility for the general supervision and control of the affairs of the Corporation, except where such supervision and control is specifically vested in others by law, the Articles of Organization, these bylaws, or actions taken duly by the Directors.

**4.5b The Vice President** shall have the powers and duties of the President whenever the President is not present, or has been determined by the Directors to be unable to act, except where such powers and duties are specifically vested in others by action duly taken by the Directors.

**4.5c The Clerk/Secretary** shall have charge of such books, document and papers as the Board of Directors may determine and shall have custody of the Corporate Seal, if any. S/he shall attend and keep the minutes of all the meetings of the Board of Directors and Members. S/he shall also keep a record, containing the names of all Members of the Corporation, and such books will be open to inspection as required by law. The Clerk/Secretary shall have other powers and duties as are usually incident to that office and as may be vested in that office by these bylaws or by the Directors.

**4.5d The Treasurer** shall have custody of and responsibility for all funds, property, securities and all other assets, liabilities and obligations of the Corporation, subject to the direction and control of the Board of Directors.

The Treasurer, subject to the direction of the Directors, shall have the power to invest and reinvest surplus funds and shall ensure that there will be an annual independent certified audit of the Corporation. S/he shall provide the Board of Directors at the Annual Meeting, and whenever else the Directors shall determine, with an accurate account of all sums received and disbursed and such other information as may have bearing on the financial status of the Corporation.

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4.5e Other Officers shall have such duties as the Board of Directors may from time to time determine.


4.6 Resignation and Removal: Any Officer may resign from Office at any time by so notifying the Directors in writing. Any Officer resigning from the Board of Directors as per Section 3.5 shall be deemed to have resigned from Office as well.

Any Officer may be removed from Office by a 2/3 vote of the Directors present at any Regular or Special Meeting of the Directors. An Officer removed as a Director as per Section 3.4 shall be deemed to have been removed from Office as well.


4.7 Vacancies in any Office shall be filled by a majority vote of the Directors present at any Regular or Special Meeting of the Directors. Successors elected in this manner shall hold office for the unexpired term of their predecessors.

4.8 Compensation. Officers shall not be compensated for their services as Officers of the Corporation.


#### ARTICLE V - COMMITTEES

 The Board of Directors shall have the exclusive power to create various committees which in their opinion will advance the purposes and interests of the Corporation.

#### ARTICLE VI - EXECUTION OF PAPERS

 Any recordable instrument purporting to affect an interest in real estate executed in the name of the Corporation by two of its Officers of whom one is the President or Vice President and the other is the Treasurer or an Assistant Treasurer, shall be binding on the corporation in favor of a purchaser or other person relying in good faith on such instrument; notwithstanding any inconsistent provisions of the Articles of Organization, By-Laws, Resolutions or notes of the Corporation.

#### ARTICLE VII - CORPORATE STAFF

 7.1 Executive Director: The Directors shall appoint an Executive Director who shall serve at the pleasure of the majority of Directors or in accordance with a written contract with the Directors.

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The Executive Director shall be accountable directly to the Board of Directors for establishing and maintaining activities of the Corporation in accordance with policies, procedures, priorities, and guidelines established by the Directors

The Executive Director shall be an ex-officio member of all bodies, sub-bodies, and meetings of the Corporation and shall attend all meetings of the Directors and regularly report to the Directors, unless the Directors determine otherwise from time to time. The Executive Director and President shall consult as needed between meetings of the Directors.

The Directors shall establish compensation of the Executive Director.

7.2 Staff: Staff positions shall be filled by the Executive Director or her/his designee and shall serve under the supervision of the Executive Director or her/his designee.

#### ARTICLE VIII - REPORTS

The Corporation shall issue an Annual Report that shall be presented to Members at the Annual Meeting.

#### ARTICLE IX- PERSONAL LIABILITY AND INDEMNITY

The Corporation eliminates the personal liability of its officers, directors, and members to the Corporation or any other person or legal entity for monetary damages for breach of fiduciary duty as an officer or director notwithstanding any provision of law imposing such liability; provided, however, that this provision shall not eliminate or limit the liability of an officer or director (i) for any breach of the officer's or director's duty or loyalty to the Corporation or its members (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law or (iii) for any transaction from which the officer or director derived an improper personal benefit.

#### ARTICLE X - MISCELLANEOUS PROVISIONS

11.1 Voting Stock in Other Corporations. Whenever the Corporation shall own stock of another corporation, the Treasurer, acting either in person or by proxy, may exercise in the name and on the behalf of the Corporation all voting and subscription rights thereof, but the Board of Directors may from time to time, either generally or in any specific instance, delegate like authority to any one or more other persons.

11.2 Annual Audit. The account books of the Corporation shall be audited annually by an independent Certified Public Accountant retained by the Board of Directors, and the report of such Accountant shall be filed with the records of the

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Corporation. A summary of this report shall be made available to the Members upon written request.

11.3 Conflicts of Interest. No Director or Officer of the Corporation may participate in the evaluation, review, and approval of any application for a grant or any other matter in which he or she has a direct personal interest.

All grants and other transactions shall be conducted at arm's length and shall not violate the proscriptions in the Articles of Organization, these By-Laws, or any other applicable prohibition against the Corporation's use of application of its funds for private benefit. No such loan or transaction shall be entered into if it would result in denial of or loss of tax-exempt status under Sections 501 (c), 503, or 504 of the Internal Revenue Code and its regulations, as they now exist or as they may be hereafter amended.

11.4 Seal. The Board of Directors shall approve and adopt a corporate seal, which shall be circular in form and shall have inscribed thereon the name of the Corporation and the state of incorporation and the words "Corporation Seal." The seal shall be stamped or affixed to such documents as may be prescribed by law, or custom, or by the Board of Directors.

11.5 Non-Discrimination. Selection of the Board of Directors, Officers of the Corporation, Advisory Congress, Members, Volunteers, and Staff shall not be based on race, color, religion, age, sex, national origin, or sexual preference.

#### ARTICLE XI - AMENDMENTS

These By-Laws may be altered, amended, or repealed in whole or in part by vote of two-thirds (2/3) of the Directors then in office, except with respect to any provision thereof which by law, the Articles of Organization, or these By-Laws, requires action by the Members. Not later than the time of given notice of the meeting of Members next following the making, amending, or repealing by the Directors of any By-Laws, notice thereof stating the substance of such change shall be given to all Members. The Members may by two-thirds (2/3) vote alter, amend, or repeal any By-Law adopted by the Directors or otherwise or adopt, alter, amend, or repeal any provision which by law, the Articles of organization, or these By-Laws requires action by the Member.

## CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT  
ROBERT H. SCATAMACCHIA  
VICE PRESIDENT  
MELINDA E. BARRETT  
WILLIAM J. MACEK  
WILLIAM H. RYAN  
THOMAS J. SULLIVAN  
MARY ELLEN DALY O'BRIEN  
MICHAEL S. MCGONAGLE  
COLIN F. LEPAGE



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## CITY OF HAVERHILL HAVERHILL, MASSACHUSETTS 01830-5843

### DOCUMENTS REFERRED TO COMMITTEE STUDY

4	Communication from Councillor Macek requesting a discussion regarding the proposed Monument Square traffic divider/island.	Planning & Dev.	1/3/12
102	Communication from Councillor Macek requesting to discuss the Taxicab and Buses Ordinance	Administration & Finance	10/15/13
102-H	Communication from Councillor Macek requesting to propose the establishment of an Adult and Senior Fitness Park	NRPP	10/29/13
13/13-B	Central Business District Parking Map and Ordinances	A & F	1/28/14
84 & 84A/13	Ordinance re: Zoning, Amend City Code, Ch. 255, Table of Use & Parking Regulations Page 8; to allow Medical Marijuana Dispensary/Treatment centers to be located only in our business parks	Transferred to Administration & Finance	2/11/14
55-E	Communication from Councillor Macek – necessary repairs on the Clement Farm property leased to American Legion	NRPP	6/17/14
55-F	Communication from Councillor Daly O'Brien re: Street noise increasing on Essex St. and Washington St. area	Public Safety	6/17/14
55-U	Communication from President Michitson requesting to address comprehensive vision, plan & process – critical information for City Council to determine needs/gaps, solutions and spending priorities for Haverhill	A & F	8/19/14
55-X	Communication from Councillor Sullivan regarding a Jr. Park Ranger Sumer Program	Public Safety	8/19/14
90	Ordinance Relating to Peddling and Soliciting, Section 191—9 Licenses add at end of subsection A: permitted to Locations: "Food Trucks of any size may be allowed at all permitted fixed location with approval from City Council"	A & F	9/2/14
125	Petition from Brian S. Minkle requesting to purchase City land abutting his property on Crystal Lake Rd., Assessor's Map 566, Block 2, Lot 11, said house is at 35 Mendum Rd/ 86 Crystal Lake Rd, Assessor's Map 566, Block 2, Lot 7A	NRPP	12/2/14
10-B	Communication from Councillor Barrett requesting to discuss lack of City representation on HC Media Board of Directors	A & F	1/6/15
10-J	Communication from Councilor LePage requesting to discuss tag days	Public Safety	2/10/15
10-N	Communication from Councillor McGonagle requesting to introduce a representative from Haverhill Fire Dept. Safety Committee to give status update on rescue truck	Public Safety	3/3/15